THE

STATUTES AT LARGE

OF THE

UNITED STATES OF AMERICA

FROM

MARCH 1933 to JUNE 1934

CONCURRENT RESOLUTIONS RECENT TREATIES AND CONVENTIONS, EXECUTIVE PROCLAMATIONS AND AGREEMENTS, TWENTY-FIRST AMENDMENT TO THE CONSTITUTION

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PART 1—Public Acts and Resolutions.

Part 2—Private Acts and Resolutions, Concurrent Resolutions Treaties and Conventions, Executive Proclamations and Agreements, Twenty-first Amendment to the Constitution.

PART 1

UNITED STATES GOVERNMENT PRINTING OFFICE WASHINGTON: 1934

PUBLIC LAWS

OF THE

UNITED STATES OF AMERICA

PASSED BY THE

SEVENTY-THIRD CONGRESS

1933 - 1934

LIST

OF THE

PUBLIC ACTS AND RESOLUTIONS OF CONGRESS

CONTAINED IN THIS VOLUME

THE SEVENTY-THIRD CONGRESS OF THE UNITED STATES

First Session, 1933

	Page.
Emergency banking relief; Bank Conservation Act. AN ACT To provide relief in the existing national emergency in banking, and for other purposes	1
Legislative expenses. JOINT RESOLUTION To provide for certain expenses incident to the first session of the Seventy-third Congress. March 17, 1933.	8
first session of the Seventy-third Congress	8
Revenue taxes on certain nonintoxicating liquor. AN ACT To provide revenue by the taxetion	_
of certain nonintoxicating liquor, and for other purposes	16
States Government, maintain creait of. AN ACT To institute the United States Government	20
banks to State banks and trust companies in certain cases, and for other purposes March 24, 1933 Swimming exercise tank. JOINT RESOLUTION To provide for the acceptance of sums	20
donated for the construction of a swimming evercise tank for the use of the President	22
Unemployment relief. AN ACT For the relief of unemployment through the performance of useful public work, and for other purposes. March 31, 1933. Medicinal liquor prescriptions. AN ACT Relating to the prescribing of medicinal liquors March 31, 1933.	22
Medicinal liquor prescriptions. AN ACT Relating to the prescribing of medicinal liquors March 31, 1933	23
District of Columbia, beer, etc., tax. AN ACT To provide revenue for the District of Columbia by the taxation of beverages, and for other purposesApril 5, 1933_	25
by the taxation of beverages, and for other purposes	29
Allegheny River at or near Parkers Landing in the county of Armstrong, Commonwealth of Pennsylvania. April 29, 1933. Bridge, Allegheny River. AN ACT Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at a point near the Forest-Venango County line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania	29 30
April 29, 1933_ Crop production loans. JOINT RESOLUTION To amend section 2 of the Act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposesMay 1, 1933 Pan American Petroleum Company, etc. JOINT RESOLUTION Authorizing the Attorney	30
General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Company and the Richfield Oil Company of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Company heretofore duly entered. May 3, 1933	30
banks, and for other purposes May 12, 1933_Bridge, Missouri River. AN ACT To extend the time for completing the construction of a	31
Bridge across the Missouri River at or near Kansas City, Kansas May 12, 1933 Bridges, Pee Dee and Waccamaw Rivers. AN ACT To extend the times for commencing and	54
completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, South Carolina. May 12, 1933.— Bridge, Waccamaw River. AN ACT To extend the time for commencing and completing the	54
construction of a bridge across the Waccamaw River near Conway, South Carolina May 12, 1933 12, 1933	55

	Page.
Bridge, Mahoning River. AN ACT Granting the consent of Congress to the Board of County	
Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct	
across the Mahoning River at Struthers, Mahoning County, Ohio_May 12, 1933 Federal Emergency Relief Act of 1933. AN ACT To provide for cooperation by the Federal	5 5
Government with the several States and Territories and the District of Columbia in	
relieving the hardship and suffering caused by unemployment, and for other pur-	
poses May 12, 1933 _	55
poses May 12, 1933 Grand juries. AN ACT To amend section 1025 of the Revised Statutes of the United States	
Tennessee Valley Authority Act of 1933. AN ACT To improve the navigability and to provide	58
Tennessee Valley Authority Act of 1933. AN ACT To improve the navigability and to provide	
for the flood control of the Tennessee River; to provide for reforestation and the proper	
use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the crea-	
tion of a corporation for the operation of Government properties at and near Muscle	
Shoals in the State of Alabama, and for other purposes May 18, 1933	58
Mining claims, assessments. AN ACT Providing for the suspension of annual assessment work	
on mining claims held by location in the United States and Alaska. May 18, 1933	72
Bank Conservation Act. correction. AN ACT To amend section 207 of the Bank Conservation	
Act with respect to bank reorganizations May 20, 1933. National banks, loans, etc. AN ACT To amend sections 5200 and 5202 of the Revised Statutes,	72
National banks, toans, etc. AN ACT To amend sections 5200 and 5202 of the Revised Statutes,	
as amended, to remove the limitations on national banks in certain cases	72
May 20, 1933_ National Maritime Day. JOINT RESOLUTION Designating May 22 as National Maritime	14
Day May 20. 1933	73
Naval, Military, and Coast Guard Academies, Graduates. AN ACT To confer the degree of	••
Day May 20, 1933 Naval, Military, and Coast Guard Academies, Graduates. AN ACT To confer the degree of bachelor of science upon graduates of the Naval, the Military, and the Coast Guard	
Academies	73
Securities Act of 1933. AN ACT To provide full and fair disclosure of the character of securi-	
ties sold in interstate and foreign commerce and through the mails, and to prevent	P7 4
frauds in the sale thereof, and for other purposes	74
Commission of Virginia to replace and maintain a bridge across Northwest River in	
Norfolk County, Virginia, on State Highway Route Numbered 27May 27, 1933	96
Bridge, Staunton and Dan Rivers. AN ACT Granting the consent of Congress to the State	00
Highway Commission of Virginia to maintain a bridge already constructed to replace	
a weak structure in the same location, across the Staunton and Dan Rivers, in Meck-	
lenburg County, Virginia, on United States Route Numbered 15 May 27, 1933	96
Bridge, Savannah River. AN ACT To extend the times for commencing and completing the	
construction of a bridge across the Savannah River at or near Burtons Ferry, near	06
Sylvania, Georgia May 27, 1933 Appropriations, third deficiency Act, 1933. AN ACT Making appropriations to supply defi-	96
ciencies in certain appropriations for the fiscal year ending June 30, 1933, and prior	
fiscal years, to provide supplemental appropriations for the fiscal years ending June	
30, 1933, and June 30, 1934, and for other purposes May 29, 1933 Choctaw County, Oklahoma, tuition of Indians. AN ACT To authorize the Comptroller General to allow claim of district numbered 13, Choctaw County, Oklahoma, for payment	97
Choctaw County, Oklahoma, tuition of Indians. AN ACT To authorize the Comptroller Gen-	
eral to allow claim of district numbered 13, Choctaw County, Oklahoma, for payment	40.
of tuition for Indian pupils May 29, 1933. Bridge, Missouri River. JOINT RESOLUTION Granting the consent of Congress to a com-	105
pact or agreement between the State of Kansas and the State of Missouri authorizing	
the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll	
bridge across the Missouri River from a point in Platte County. Missouri, to a point	
bridge across the Missouri River from a point in Platte County, Missouri, to a point at or near Kansas City, in Wyandotte County, Kansas, and specifying the conditions	
thereof May 29, 1933_ Indian pueblos in New Mexico. AN ACT To authorize appropriations to pay in part the	105
Indian pueblos in New Mexico. AN ACT To authorize appropriations to pay in part the	
liability of the United States to the Indian pueblos herein named, under the terms	
of the Act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueble greats whose alaims extinguished under the Act of June 7, 1924	
ants on Indian pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to	
authorize the expenditure by the Secretary of the Interior of the sums herein authorized	
and of sums heretofore appropriated, in conformity with the Act of June 7, 1924, for the	
purchase of needed lands and water rights and the creation of other permanent economic	
improvements as contemplated by said Act; to provide for the protection of the watershed	
within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and	
others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the Act approved June 7, 1924, in certain respects	
N.C 91 1099	108
Menominee Indians, Wis., per capita payment. AN ACT Authorizing a per capita payment of \$100 to the members of the Menominee Tribe of Indians of Wisconsin	100
ment of \$100 to the members of the Menominee Tribe of Indians of Wisconsin	
from funds on deposit to their credit in the Treasury of the United States	
Military Academy, Posheng Yen. JOINT RESOLUTION Authorizing the Secretary of War	112
Multary Academy, Posheng Yen. JOINT RESOLUTION Authorizing the Secretary of War	
to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China	119
Toolig Ten, a crozen of OmnaJune 5, 1955	112

and its successors to construct, maintain, and operate a bridge across the Saint Clair River at or near Port Huron, Michigan", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge___June 13, 1933__

139

Closed building and loan associations loans AN ACT To amend the Reconstruction Finance	Page.
Closed building and loan associations, loans. AN ACT To amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associa- tions	141
Bridge, Saint Lawrence River. AN ACT Creating the Saint Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Lawrence River at or near Ogdensburg, New York	
Seminole Indians, Okla., per capita payments. AN ACT Providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury	141
June 15, 1933.	146
U.S. Courts, Florida southern district. AN ACT Providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Florida June 15, 1933.	147
FloridaJune 15, 1933	147
of way to The Dalles Bridge Company June 15, 1933. Emergency banking relief, amendment. AN ACT To amend the Act entitled "An Act to provide relief in the existing national emergency in banking, and for other purposes", approved	147
March 9, 1933. U.S. Courts, Connecticut district. AN ACT Amending section 74 of the Judicial Code, as	
amended (U.S.C., Annotated, title 28, sec. 147) Bridge, Alsea Bay, Oreg. AN ACT Granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport,	148
construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oregon Texas centennial, 1936. AN ACT To authorize the coinage of 50-cent pieces in commended.	148
the noble and heroic sacrifices of her pioneers, whose revered memory has been an	149
inspiration to her sons and daughters during the past centuryJune 15, 1933 Ship Island Military Reservation, Miss. AN ACT Providing for the sale to Joe Graham Post	149
Numbered 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi	150
gors and assigns to construct maintain and operate a bridge across the Mononganela	150
River at or near California, Pennsylvania. June 15, 1933. Offenses on Federal territory. AN ACT To amend section 289 of the Criminal Code	150
June 15, 1933_Bridge, Missouri River. AN ACT Granting the consent of Congress to the city of Washington,	152
Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Missouri National Defense Act, amendments. AN ACT To amend the National Defense Act of June 3,	152
1916, as amendedJune 15, 1935	153
Bridge, Lake Champlain. AN ACT To revive and reenact the Act entitled "An Act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vermont, to West Swanton.	
operate a bridge across Lake Champlain from East Alburg, Vermont, to West Swanton, Vermont", approved March 2, 1929 June 15, 1933_Banking Act of 1933. AN ACT To provide for the safer and more effective use of the assets of	162
banks, to regulate interbank control, to prevent the undue diversion of funds into	162
speculative operations, and for other purposesJune 16, 1933 National Industrial Recovery Act. AN ACT To encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public	
foster fair competition, and to provide for the construction of certain useful public works, and for other purposes. June 16, 1933. Emergency Railroad Transportation Act, 1933. AN ACT To relieve the existing national	195
emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amendedJune 16, 1933	211
Bridge, French Broad River. AN ACT To extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morris-	
town-Newport Road between Jefferson and Cocke Counties, Tennessee	222
Appropriations, District of Columbia, fiscal year 1934. AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in	
part against the revenues of such District for the fiscal year ending June 30, 1934, and	222
for other purposesJune 16, 1933 U.S. Courts, Tennessee middle district. AN ACT To transfer Bedford County from the Nash- ville division to the Winchester division of the middle Tennessee judicial district	
Chippewa Indians, Minn., Red Lake Band. AN ACT Providing for payment of \$50 to each	253
enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United StatesJune 16, 1933	254
Internal revenue, gasoline tax, postage rates, etc. AN ACT To extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes. June 16, 1933	254
U.S. Courts, probationers. AN ACT To amend the probation lawJune 16, 1933 Farm Credit Act of 1933. AN ACT To provide for organizations within the Farm Credit	256
Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing	
Act, to provide a market for obligations of the United States, and for other purposesJune 16, 1933	257

Public lands, homestead entries. AN ACT To extend the provisions of the Act entitled "An Act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other	Page.
purposes	274
June 30, 1933, and June 30, 1934, and for other purposes————June 10, 1931— Appropriations, Independent Offices, etc., fiscal year 1934. AN ACT Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes	274
Ninth judicial circuit, filling vacancy. AN ACT To remove the limitation on the filling of the	283
June 16, 1933	310
in favor of the United States June 16, 1933_ Indian timber lands. AN ACT To amend Public Act Numbered 435 of the Seventy-second	311
Congress, relating to sales of timber on Indian landJune 16, 1935 Oklahoma, beer. AN ACT To legalize the manufacture, sale, or possession of 3.2 percentum beer in the State of Oklahoma when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma	311
June 16, 1933	311
SECOND SESSION, 1934	
Liquor Taxing Act of 1934. AN ACT To raise revenue by taxing certain intoxicating liquors, and for other purposes. January 11, 1934. Appropriations, expenses, 2d sess., 73d Congress. JOINT RESOLUTION To provide for	313
certain expenses incident to the second session of the Seventy-third Congress January 18, 1934	318
Reconstruction Finance Corporation, functions continued. AN ACT To continue the functions of the Reconstruction Finance Corporation, to provide additional funds for the Cor-	
poration, and for other purposes District of Columbia, Alcoholic Beverage Control Act. AN ACT To control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia,	318
biaJanuary 24, 1934	319
the Agricultural Adjustment ActJanuary 25, 1934 Gold Reserve Act of 1934. AN ACT To protect the currency system of the United States, to provide for the better use of the monetary gold stock of the United States, and for	337
other purposes	337
District of Columbia, Alcoholic Beverage Control Act, appropriation. JOINT RESOLUTION To provide appropriations to carry into effect the Act entitled "An Act to control the	344
manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia", approved January 24, 1934. Desert-land entries, public lands. AN ACT To amend an Act approved March 4, 1929 (45 Stat. 1548), entitled "An Act to supplement the last three paragraphs of section 5 of	349
Stat. 1548), entitled "An Act to supplement the last three paragraphs of section 5 of the Act of March 4, 1915 (38 Stat. 1161), as amended by the Act of March 21, 1918 (40 Stat. 458)"February 14, 1934	349
lands to School District Numbered 28, Deschutes County, Oregon Fort Lowell Military Reservation, homestead entries. AN ACT To provide for extension of	350
time for making deterred payments on homestead entries in the abandoned Fort	350
Lowell Military Reservation, Arizona February 14, 1934 Wyoming, school lands. AN ACT To amend section 5 of the Act approved July 10, 1890 (28 Stat. 664), relating to the admission into the Union of the State of Wyoming	350
Federal Emergency Relief Act, appropriation. AN ACT Making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation	000
of the Civil-Works program, and for other purposesFebruary 15, 1934 District of Columbia, banking regulations. AN ACT To amend the Act of March 4, 1933, relat-	351
ing to the regulation of banking in the District of Columbia February 16, 1934 Mount Pleasant Indian School. AN ACT Granting certain property to the State of Michigan	352
for institutional purposesFebruary 19, 1934	353
directors of the Washington Home for Foundlings	353
harvesting during the year 1934, and for other purposesFebruary 23, 1934 Bridge, Delaware River. AN ACT To extend the time for completing the construction of a	354
bridge across the Delaware River near Trenton, New JerseyFebruary 24, 1934	355

	Page.
Noxubee River, Noxubee County, Miss., nonnavigable. AN ACT To declare Noxubee River in	- ugo.
Noxubee County, Mississippi, to be a nonnavigable streamFebruary 24, 1934 Bridge, Youngs Bay, Oreg. AN ACT Granting the consent of Congress to the State of Oregon to maintain a bridge already constructed across Youngs Bay near the city of	356
Astoria. Oregon February 24 1934	356
Astoria, Oregon February 24, 1934 Bridge, Missouri River. AN ACT To extend the time for completing the construction of a bridge across the Missouri River at or near South Omaha, Nebraska	
Bridge, Delaware River. AN ACT Authorizing the State of Pennsylvania and the State of	356
New Jersey to construct, maintain, and operate a toll bridge across the Delaware River at a point between Easton, Pennsylvania, and Phillipsburg, New Jersey Bridge, Missouri River. AN ACT To extend the times for commencing and completing the	
February 24, 1934.	356
construction of a bridge across the Missouri River at or near Weldon Spring. Missouri	357
Bridge, Des Moines River. AN ACT To extend the times for commencing and completing	001
the construction of a bridge across the Des Moines River at or near Saint Francisville, Missouri————————————————————————————————————	358
Bridge, Mississippi River. AN ACT Authorizing the City of Hamibal, Missouri, its succes-	
sors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the City of Hannibal, Marion County, Missouri_February 24, 1934	358
Bridge, Saint Lawrence River. AN ACT To extend the times for commencing and completing	990
the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York	
New York February 26, 1934	360
Federal Farm Mortgage Corporation Act, amendment. AN ACT To amend subsection (b) of	
section 12 of the Act entitled "An Act to provide for the establishment of a corporation to aid in the refinancing of farm debts, and for other purposes", approved Jan-	
uon to aid in the remaining of farm debts, and for other purposes , approved Jan- nary 31, 1934	360
uary 31, 1934 February 26, 1934 Puerto Rico and Virgin Islands, prohibition laws. AN ACT To repeal Federal Liquor prohibition laws to the extent they are in force in Puerto Rico and the Virgin Islands, and	000
hibition laws to the extent they are in force in Puerto Rico and the Virgin Islands, and	
TOF Other Durdoses Viarco Z. 1934	361
Appropriations, Interior Department, fiscal year 1935. AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other	
numbers March 2 1021	362
purposesMarch 2, 1934 American shipwrecked merchant seamen. AN ACT To provide for the care and transportation	004
of seamen from shipwrecked fishing and whaling vessels	395
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the	
construction of a bridge across the Missouri River at or near Farnam Street, Omaha, Nebraska March 5, 1934 Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the	90.
Representation of the first New York and State of the Sta	395
construction of a bridge across the Mississippi River between New Orleans and Gretna.	
Louisiana March 5, 1934. Intoxicating liquors in former Indian Territory. AN ACT To repeal certain specific Acts of	396
Intoxicating liquors in former Indian Territory. AN ACT To repeal certain specific Acts of	
Congress and an amendment thereto enacted to regulate the manufacture, sale, or possession of intoxicating liquors in the Indian Territory, now a part of the State of	
Oklahoma	396
Distinguished Service Cross. AN ACT To award the Distinguished Service Cross to former	000
holders of the certificate of merit, and for other purposesMarch 5, 1934	396
International Petroleum Exposition, Okla. JOINT RESOLUTION Authorizing the President	
tional Petroleum Exposition at Tulsa. Oklahoma, to be held May 12 to May 19 1934	
to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Oklahoma, to be held May 12 to May 19, 1934, inclusive	397
Timber sales Indian lands. JOINT RESOLUTION To amend Public Act Numbered \$1 of	
the Seventy-third Congress, relating to the sale of timber on Indian land	207
Federal Reserve notes. AN ACT To extend the period during which direct obligations of the	397
United States may be used as collateral security for Federal Reserve notes	
Dams, Yaquina Bay and River. AN ACT To revive and reenact the Act entitled "An Act	398
Dams, Yaquina Bay and River. AN ACT To revive and repact the Act entitled "An Act	
granting the consent of Congress to the Mill Four Drainage District in Lincoln County, Oregon, to construct, maintain, and operate dams and dikes to prevent the	
flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and	
flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith", approved June 17, 1930	398
Proceedings in criminal cases after verdict. AN ACT To amend an Act entitled "An Act to	
give the Supreme Court of the United States authority to prescribe rules of practice and procedure with respect to proceedings in criminal cases after verdict"	
	399
Plattsburgh Barracks and Military Reservation. AN ACT To authorize the Secretary of War	
to sell to the Plattsburgh National Bank and Trust Company a tract of land comprising	
part of the Plattsburgh Barracks Military Reservation, New York. March 10, 1934. Pennsylvania, Department of Forests and Waters. AN ACT To authorize the Department of	399
Agriculture to issue a duplicate check in favor of Department of Forests and Waters,	
Commonwealth of Pennsylvania, the original check having been lost	
March 10, 1934_	400

	Page.
Fish and game sanctuaries. AN ACT To establish fish and game sanctuaries in the national forests. March 10, 1934. Conservation of wild life, etc. AN ACT To promote the conservation of wild life, letc. AN ACT To promote the conservation of wild life, letc.	400
game, and for other purposes. Crop production loans, appropriation. JOINT RESOLUTION To provide an appropria-	401
Crop production loans, appropriation. JOINT RESOLUTION To provide an appropriation to carry into effect the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1934, and for other purposes", approved February 23, 1934 Appropriations, Navy Department, etc., fiscal year 1935. AN ACT Making appropriations	
crop production and harvesting during the year 1934, and for other purposes", ap-	400
proved February 23, 1934	402
Appropriations, Navy Department, etc., iscut year 1950. AN ACT Making appropriations for the New Department and the new leaving for the fixed year ording fund 20, 1925	
and for other purposes March 15, 1934	403
for the Navy Department and the naval service for the fiscal year ending June 30, 1935, and for other purposes Appropriations, Treasury and Post Office Departments, fiscal year 1935. AN ACT Making	200
appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1935, and for other purposes	
June 30, 1935, and for other purposesMarch 15, 1934	425
Migratory Bird Conservation Act, amenament. AN ACT To supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for	
use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and	
administering such areas, for the protection of certain migratory birds, for the enforce-	
ment of the Migratory Bird Treaty Act and regulations thereunder, and for other pur-	
poses March 16, 1934_ District of Columbia-Virginia boundary line. AN ACT To provide for the appointment of a	451
District of Columbia-Virginia boundary line. AN ACT To provide for the appointment of a	
commission to establish the boundary line between the District of Columbia and the	453
Commonwealth of Virginia March 21, 1934 March 21, 1	400
accused of crime to and from the jurisdiction of any officer or representative of the	
United States vested with judicial authority in any country in which the United States	
exercises extraterritorial jurisdiction March 22, 1934	454
Philippine Independence Act. AN ACT To provide for the complete independence of the	
Philippine Islands, to provide for the adoption of a constitution and a form of govern-	450
ment for the Philippine Islands, and for other purposesMarch 24, 1934Alaska, date of certain elections; meeting of legislature, etc. AN ACT Fixing the date for hold-	459
ing elections of a Delegate from Alaska to the House of Representatives and of mem-	
bers of the Legislature of Alaska; fixing the date on which the Legislature of Alaska	
shall hereafter meet: prescribing the personnel of the territorial canvassing board	
defining its duties, and for other purposes March 26, 1934 Foreign Service officers, losses due to foreign currency appreciation. AN ACT To authorize	465
Foreign Service officers, losses due to foreign currency appreciation. AN ACT To authorize	
annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their	
relation to the American dollar, and for other purposes	466
Hawaii, repeal of prohibition laws. AN ACT To repeal Federal liquor prohibition laws to the	100
extent they are in force in the Territory of Hawaii	467
Appropriations, Department of Agriculture, etc., fiscal year 1935. AN ACT Making appro-	
priations for the Department of Agriculture and for the Farm Credit Administration	40=
for the fiscal year ending June 30, 1935, and for other purposesMarch 26, 1934 Reconstruction Finance Corporation, exports. JOINT RESOLUTION Requiring agricultural	467
or other products to be shipped in vessels of the United States where the Reconstruc-	
or other products to be shipped in vessels of the United States where the Reconstruc- tion Finance Corporation or any other instrumentality of the Government finances	
the exporting of such products March 26, 1934	500
Indian irrigation projects. AN ACT To further extend the operation of the Act entitled	
"An Act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law" approved April 1, 1932 March 27, 1934	500
Five Civilized Tribes, records. AN ACT To authorize the Secretary of the Interior to place	500
with the Oklahoma Historical Society, at Oklahoma City, Oklahoma, as custodian for	
the United States, certain records of the Five Civilized Tribes, and of other Indian tribes in the State of Oklahoma, under rules and regulations to be prescribed by him	
tribes in the State of Oklahoma, under rules and regulations to be prescribed by him	
Sitka, Alaska, abandoned buildings and grounds. AN ACT Granting abandoned public	501
buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other	
Durnoses March 27, 1934	502
purposesMarch 27, 1934 Naval vessels, construction, etc. AN ACT To establish the composition of the United States	002
Navy with respect to the categories of vessels limited by the treaties signed at Wash-	
ington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by	
those treaties, to authorize the construction of certain naval vessels; and for other	509
purposesMarch 27, 1934 District of Columbia building, etc., associations. AN ACT To amend the Code of Laws for the	503
District of Columbia, approved March 3, 1901, as amended (D.C. Code, title 5, ch. 3).	
relating to building and loan associationsMarch 27, 1934 District of Columbia, electrifying steam railroads. AN ACT To authorize steam railroads to	506
District of Columbia, electrifying steam railroads. AN ACT To authorize steam railroads to	
electrify their lines within the District of Columbia, and for other purposes	F 0.0
Bridge, Mississippi River. AN ACT Granting the consent of Congress to the Louisiana	506
Highway Commission to construct, maintain, and operate a bridge across the Missis-	
sippi River at or near Baton Rouge, Louisiana	507
**	JU1

	Page
United States title to lands in the territories. AN ACT To prevent the loss of the title of the United States to lands in the territories or territorial possessions through adverse	
United States to lands in the territories or territorial possessions through adverse possession or prescription	507
equipment, landing fields, men, and material of the War Department, for carrying the mails by air, and for other purposes	508
Agricultural Adjustment Act, amendments. AN ACT To amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and	509
for other purposes April 7, 1934. Appropriations, State, Justice, Commerce, and Labor Departments, fiscal year 1935. AN ACT Making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30	528
United States interest-bearing bonds. AN ACT To amend section 3702. Revised Statutes	529
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Missouri	571
Bridge, Minnesota River. AN ACT Granting the consent of Congress to the State of Minnesota, and Scott County and Carver County, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River at or near Jordan, Minnesota	572
sotaApril 9, 1934_ Bridge, Saint Louis River. AN ACT Granting the consent of Congress to the Highway Department of the State of Minnesota to construct, maintain, and operate a free highway bridge across the Saint Louis River at or near Cloquet, Minnesota	5 7 2
Bridge, Mississippi River. AN ACT Granting the consent of Congress to the Highway Department of the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the southerly end of Lake Bemidii.	5 7 3
Minnesota April 9, 1934 Bridge, Cumberland River. AN ACT Granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River at or near Carthage, Smith County, Tennessee April 9, 1934 District of Columbia, Independence Avenue. AN ACT To change the name of B Street southwest in the District of Columbia	573
TennesseeApril 9, 1934_ District of Columbia, Independence Avenue. AN ACT To change the name of B Street	573
Foreign governments in default. AN ACT To prohibit financial transactions with any foreign	574
government in default on its obligations to the United StatesApril 13, 1934 District of Columbia, sale of certain property. AN ACT Authorizing the sale of certain property polonger required for public purposes in the District of Columbia. April 13, 1934	574 574
no longer required for public purposes in the District of Columbia_April 13, 1934 District of Columbia, Whitehaven Parkway. AN ACT To readjust the boundaries of Whitehaven Parkway at Huidekoper Place in the District of Columbia, provide for an exchange of land, and for other purposesApril 13, 1934	575
Bridge, Columbia River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Astoria, Oregon April 13, 1934	576
Greene County, Mo., easement. AN ACT Granting an easement over certain lands to the Springfield Special Road District in the county of Greene, State of Missouri, for road purposes. April 13, 1934. Bridge, Ohio River. AN ACT Creating the Cairo Bridge Commission and authorizing said	576
Commission and its successors to construct, maintain, and operate a bridge across the	577
Ohio River at or near Cairo, Illinois	
purposesApril 13, 1934	582
April 13, 1934 Perishable Agricultural Commodities Act, amendments. AN ACT To amend the Act known as the "Perishable Agricultural Commodities Act, 1930" approved June 10, 1930 April 13, 1934 April 13, 1934	583 584
Flood damage, etc., relief. AN ACT Authorizing the Reconstruction Finance Corporation to make loans to nonprofit corporations for the repair of damages caused by floods or	
other catastrophes, and for other purposesApril 13, 1934 Fremont National Forest, Oreg. AN ACT To authorize the revision of the boundaries of the Fremont National Forest in the State of OregonApril 14, 1934	589
Weirton Steel Company, counsel. AN ACT Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with	590
respect to counsel in the case of United States of America against Weirton Steel Company and other casesApril 14, 1934	590

_____April 30, 1934__

649

	Page.
Idaho, national forests. AN ACT For the inclusion of certain lands in the national forests in	
the State of Idaho, and for other purposesApril 30, 1934	649
Bridge, Columbia River. AN ACT To extend the times for commencing and completing the	
construction of a bridge across the Columbia River at or near The Dalles, Oregon	650
Bridge, Des Moines River. AN ACT Granting the consent of Congress to the Iowa State	090
Highway Commission and the Missouri Highway Department to maintain a free	
bridge already constructed across the Des Moines River near the city of Keckuk.	
IowaApril 30, 1934	651
Bridge, Black River. AN ACT To legalize a bridge across Black River at or near Pocahontas,	
ArkansasApril <u>3</u> 0, 1934	651
Iowa April 30, 1934 — Bridge, Black River. AN ACT To legalize a bridge across Black River at or near Pocahontas, Arkansas ——————————————————————————————————	0 = 1
near Lake City, Arkansas April 30, 1934. Bridge, Mississippi River. AN ACT To revive and reenact the Act entitled "An Act author-	651
izing D. S. Prentiss, R. A. Salladay, Syl F. Histed, William M. Turner, and John H.	
Rahilly, their heirs, legal representatives, and assigns, to construct, maintain, and	
operate a bridge across the Mississippi River at or near the town of New Boston,	
Illinois", approved March 3, 1931	652
Illinois", approved March 3, 1931 Bridge, Potomac River. AN ACT Authorizing the State Road Commission of West Virginia	
to construct, maintain, and operate a toll bridge across the Potomac River at or near	
Shepherdstown, Jefferson County, West Virginia April 30, 1934. Bridge, Wabash River. AN ACT Authorizing the owners of Cut-Off Island, Posey County,	652
Bridge, Wabash River. AN ACT Authorizing the owners of Cut-Off Island, Posey County,	
Indiana, to construct, maintain, and operate a free highway bridge or causeway across the old channel of the Wabash RiverApril 30, 1934	653
Bridge, Wabash River. AN ACT To extend the time for the construction of a bridge across the	000
Wabash River at a point in Sullivan County, Indiana, to a point opposite on the	
Illinois shoreApril 30, 1934	654
Illinois shore April 30, 1934 District of Columbia, Alcoholic Beverage Control Act, amendments. AN ACT To amend the	
District of Columbia Alcoholic Beyerage Control Act by amending sections 11, 22, 23,	
and 24April 30, 1934	654
Volunteer Army claims. AN ACT Providing for settlement of claims of officers and enlisted	656
men for extra pay provided by Act of January 12, 1899April 30, 1934	000
New Orleans, Lu., tighthouse depot. An ACI Authorizing the Sectionary Commerce to ac-	
April 30. 1934	657
New Orleans, La., lighthouse depot. AN ACT Authorizing the Secretary of Commerce to acquire a site for a lighthouse depot at New Orleans, Louisiana, and for other purposes April 30, 1934 Columbus Day, celebration. JOINT RESOLUTION Requesting the President to proclaim	
October 12 as Columbus Day for the observance of the anniversay of the discovery	
of AmericaApril 30, 1934	657
Pike National Forest, Colo. AN ACT To add certain lands to the Pike National Forest,	057
October 12 as Columbus Day for the observance of the anniversay of the discovery of America. April 30, 1934. Pike National Forest, Colo. AN ACT To add certain lands to the Pike National Forest, Colorado. May 3, 1934. Cochetopa National Forest, Colo. AN ACT To add certain lands to the Cochetopa National Forest in the State of Colorado. May 3, 1934. Anchorage, Alaska, sale of land. AN ACT To authorize the sale of land and houses at Anchorage, Alaska. May 3, 1934. Bridge, Mississippi River. AN ACT Authorizing the city of East Saint Louis, Illinois, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a	657
Cochetopa National Forest, Colo. AN ACT 10 and certain lands to the Cochetopa National	658
Ambergae Alaska sale of land AN ACT To authorize the sale of land and houses at	000
Anchorage, Alaska May 3, 1934	660
Bridge, Mississippi River. AN ACT Authorizing the city of East Saint Louis, Illinois, to	
point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a	
point opposite thereto in the city of East Saint Louis, Illinois	661
Bridge, Pearl River. AN ACT Granting the consent of Congress to the Mississippi Highway Commission to construct, maintain, and operate a free highway bridge across the Pearl	
Commission to construct, maintain, and operate a free highway bridge across the 1 eart Biver in the State of Mississippi	662
River in the State of Mississippi May 3, 1934_Buffalo-Fort Erie peace bridge. JOINT RESOLUTION Granting consent of Congress to an	002
agreement or compact entered into by the State of New York with the Dominion of	
Canada for the establishment of the Buffalo and Fort Erie Public Bridge Authority	
with power to take over, maintain, and operate the present highway bridge over the	
Niagara River between the city of Buffalo, New York, and the village of Fort Erie,	662
Uanada	002
Canada May 3, 1934 - May 1, 1934 - May 1, 1934 - Amelia Island Lighthouse Reservation. AN ACT To authorize the city of Fernandina, Florida, under certain conditions, to dispose of a portion of the Amelia Island Light-	
house Reservation May 4. 1934	662
house Reservation May 4, 1934 - Alaska, mining laws. AN ACT To repeal an Act of Congress entitled "An Act to modify and	
amend the mining laws in their application to the Territory of Alaska, and for other	
purposes", approved August 1, 1912 May 4, 1934	663
purposes", approved August 1, 1912May 4, 1934	
to perform the duties of the masters of such vessels in relation to entrance and clear-	663
ance of same May 4, 1934 Carlsbad Caverns National Park, N.Mex. AN ACT To authorize the exchange of the use of	000
certain Government land within the Carlsbad Caverns National Park for certain	
privately owned land therein May 4, 1934	664
Postmasters accounts. AN ACT To require postmasters to account for money collected on	
mail delivered at their respective offices	664
Pass A'Loutre Lighthouse Reservation, La. AN ACT Authorizing the Secretary of Commerce	004
to dispose of the Pass A'Loutre Lighthouse Reservation, Louisiana May 4, 1934	664

The second secon	- ago.
Bridgeport, Conn., conveyance to, of certain light station. AN ACT To authorize the Secretary of Commerce to transfer to the city of Bridgeport, Connecticut, a certain unused light-station reservation. May 4, 1934. Ogeechee River, Ga., flood control. AN ACT Authorizing a preliminary examination of the	665
Ogeechee River in the State of Georgia, with a view to controlling of floods	666
Chickamauga and Chattanooga Military Park, addition. AN ACT To provide for the addition of certain lands to the Chickamauga and Chattanooga National Military Park in the	666
States of Tennessee and Georgia	666
Postal service, letter boxes. AN ACT To amend section 198 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4.	
1909, as amended by the Acts of May 18, 1916, and July 28, 1916 May 7, 1934 Metlakahtla Indians, Alaska, citizenship. AN ACT Granting citizenship to the Metlakahtla	667
Indians of Alaska May 7, 1934 United States Supreme Court building, custody, etc. AN ACT To provide for the custody and	667
Metlakahtla Indians, Alaska, citizenship. AN ACT Granting citizenship to the Metlakahtla Indians of Alaska. May 7, 1934 United States Supreme Court building, custody, etc. AN ACT To provide for the custody and maintenance of the United States Supreme Court Building and the equipment and grounds thereof. May 7, 1934 Chippewa Indians, Minn., per capita payment. AN ACT Providing for payment of \$25 to	668
each enroned Onippewa indian of Minnesota from the funds standing to their credit	668
in the Treasury of the United States	669
Agricultural Adjustment Act, amendments. AN ACT To include sugar beets and sugarcane	
as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes	670
circulation of reading matter among the blind", approved April 27, 1904, and Acts supplemental thereto	678
memoration of the three-hundredth anniversary of the founding of the Province of Maryland May 9, 1934. Revenue Act of 1934. AN ACT To provide revenue, equalize taxation, and for other purposes May 10, 1934. Statutes of limitations. AN ACT To limit the operation of statutes of limitations in certain	679
posesMay 10, 1934_	680
CasesMay 10, 1934	772
to the Ochoco National Forest, Oregon. May 11, 1934. Mount Hood National Forest, Oreg., mining. AN ACT To amend the United States mining laws applicable to the Mount Hood National Forest within the State of Oregon	772
laws applicable to the Mount Hood National Forest within the State of Oregon May 11, 1934 Bridge, Ohio River. AN ACT Authorizing the City of Wheeling, a municipal corporation, to	773
bridge, Ohio River. AN ACT Authorizing the City of Wheeling, a municipal corporation, to construct, maintain, and operate a bridge across the Ohio River, at Wheeling, West Virginia	774
"An Act to provide for the establishment of the Mammoth Cave National Park in	11.1
the State of Kentucky, and for other purposes"	775
section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to orders of State administrative boards. May 14, 1934	775
Spanish War Service Medal. AN ACT To amend the Act authorizing the issuance of the	776
boards	_
Navy to make available to the municipality of Aberdeen, Washington, the United States ship Newport	776
kansas into the Union May 15, 1934. United States and Alaska, mining claims. AN ACT Providing for the suspension of annual	776
assessment work on mining claims held by location in the United States and Alaska May 15, 1934 Hawaiian Homes Commission. AN ACT To amend sections 203 and 207 of the Hawaiian	777
Homes Commission Act, 1920 (U.S.C., title 48, secs. 697 and 701), conferring upon certain lands of Auwaiolimu, Kewalo, and Kalawahine, on the island of Oahu, Terri-	
tory of Hawaii, the status of Hawaiian home lands, and providing for the leasing thereof for residence purposes. May 16, 1934. Boise National Forest, Idaho. AN ACT To add certain lands to the Boise National Forest	777
Boise National Forest, Idaho. AN ACT To add certain lands to the Boise National Forest May 17, 1934.	779

Dillo Cala Tark Di ANTACO DI LA LA LA CALA DI CALA DILI DI CALA DI CAL	Page
Bridge, Saint Louis River. AN ACT To legalize a bridge across the Saint Louis River at or near Cloquet, Minnesota	780
	780
Extortion messages in interstate commerce. AN ACT Applying the powers of the Federal Government, under the commerce clause of the Constitution, to extortion by means of telephone, telegraph, radio, oral message, or otherwise	78:
Kidnaming. AN ACT To amend the Act forbidding the transportation of kidnamed persons	78:
in interstate commerce	
mony in certain cases May 18, 1934 Federal penal and correctional institutions, crimes. AN ACT To define certain crimes against the United States in connection with the administration of Federal penal	782
and correctional institutions and to fix the punishment thereforMay 18, 1934 Offenses against banks. AN ACT To provide punishment for certain offenses committed	782
against banks organized or operating under laws of the United States or any member of the Federal Reserve System	783
of the Federal Reserve System May 18, 1934 Bourne, Mass., donation of land. AN ACT To authorize the donation of certain land to the town of Bourne, Massachusetts May 18, 1934 Pulaski Memorial Day. JOINT RESOLUTION Authorizing the President of the United	783
States of America to proclaim October 11, 1934, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski Lafayette Memorial Day. JOINT RESOLUTION Requesting the President of the United	784
States of America to proclaim May 20, 1934, General Lafayette Memorial Day for the observance and commemoration of the one hundredth appropriately of the death of	
General Lafayette	784
providing for the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Illinois, in 1933, authorizing an appropriation therefor, and for other purposes", approved February 8, 1932, to provide for participation in A Century of Progress in 1934, to authorize an	
appropriation therefor, and for other purposes	785
tional Forest in the State of Oregon	785
the State of Arizona for the use of the University of Arizona Mary 91 1094	786
Genoa, Nebr., Indian school lands. AN ACT Authorizing the conveyance of certain lands to the State of Nebraska May 21, 1934— Homesteads, leave of absence. AN ACT Granting a leave of absence to settlers of homestead	786
lands during the years 1932, 1933, and 1934. Revised Statutes, repeal of certain sections relating to Indians. AN ACT Repealing certain sections of the Revised Code of Laws of the United States relating to the Indians	787
Hawaii, conveyance of certain lands. AN ACT To authorize the Secretary of War to convey by appropriate deed of conveyance certain lands in the District of Ewa, island of Osbu Tarritory of Hawaii	787
Oahu, Territory of Hawaii	787
of constructing a national road on this route to be known as the "Natchez Trace Parkway" May 21, 1934 Vocational education. AN ACT To provide for the further development of vocational educa-	791
tion in the several States and Territories	792
ported from foreign countries for the purpose of exhibition at A Century of Progress Exposition, Chicago, Illinois, to be admitted without payment of tariff, and for other	
purposes. May 21, 1934. National Stolen Property Act. AN ACT To extend the provisions of the National Motor	793
Vehicle Theft Act to other stolen property May 22, 1934 Fort Mojave Indian Reservation, Ariz. AN ACT To provide for the exchange of Indian and	794
privately owned lands, Fort Mojave Indian Reservation, ArizonaMay 23, 1934 Fort Morgan Military Reservation, Ala. AN ACT To provide for the exploitation for oil, gas, and other minerals on the lands comprising Fort Morgan Military Reservation.	795
AlabamaMay 23, 1934 Circuit judges, disability provisions. AN ACT To provide, in case of the disability of senior circuit judges, for the exercise of their powers and the performance of their duties	796
by the other circuit judgesMay 23, 1934 Citizenship and naturalization. AN ACT To amend the law relative to citizenship and	796
naturalization, and for other purposesMay 24, 1934 Bankruptcy Act of 1898, amendments. AN ACT To amend an Act entitled "An Act to	797
establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto_May 24, 1934	798

	rage.
Confederate Veterans' encampment equipment. AN ACT To authorize the Secretary of War to lend to the housing committee of the United Confederate Veterans two hundred and fifty pyramidal tents, complete; fifteen 16- by 80- by 40-foot assembly tents; thirty 11- by 50- by 15-foot hospital-ward tents; ten thousand blankets, olive drab, numbered 4; five thousand canvas cots; twenty field ranges, numbered 1; ten field bake ovens, to be used at the encampment of the United Confederate Veterans, to be held at Chattanooga, Tennessee, in June 1934. May 25, 1934. Electro Metallurgical Company, etc., counsel in proceedings against. AN ACT Limiting the	803
operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain proceedings against the Electro Metallurgical Company, New-Kanawha Power Company, and the Union Carbide and Carbon Corporation	804
Oregon, bridge construction. AN ACT To extend the times for commencing and completing the construction of certain bridges in the State of OregonMay 25, 1934	804
Grand Island, Nebr., radio station. AN ACT To authorize the Federal Radio Commission to purchase and enclose additional land at the radio station near Grand Island.	805
Nebraska	
products, and for other purposesMay 25, 1934	805
Longshoremen's and Harbor Workers' Compensation Act, amendments. AN ACT To amend the Longshoremen's and Harbor Workers' Compensation Act with respect to rates	806
of compensation, and for other purposes	806
May 26, 1934May 26, 1934	807
Salt Lake City, Utah, water supply. AN ACT For the protection of the municipal water supply of the city of Salt Lake City, State of Utah	808
Alaska, and for other purposes", approved May 14, 1898, as amended May 26, 1934 Bridge, Puget Sound. AN ACT Granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate	809
a toll bridge across Fuget Sound, State of Washington, at or near a point commonly known as "The Narrows"May 28, 1934May 28, 1934May 28, 1934May 28, 1934May 28, 1934	810
to issue patents for lots to Indians within the Indian village of Taholah, on the Quinaielt Indian Reservation, Washington	811
or munitions of war in the United States under certain conditions May 28, 1934 Marine Corps, distribution, etc. of commissioned officers. AN ACT To regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine	811
Naval promotions, etc. AN ACT To provide for promotion by selection in the line of the Navv in the grades of lieutenant commander and lieutenant; to authorize appoint-	811
ment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy, and for other purposes	814
equipment to posts of the American Legion	815
men of the Army, Navy, and Marine Corps, and for other purposes May 29, 1934 Everglades National Park, Fla., established. AN ACT To provide for the establishment of the Everglades National Park in the State of Florida and for other purposes	815
Appropriations, Legislative Branch, fiscal year 1935. AN ACT Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1935.	816
and for other purposes	817
District of Columbia, industrial this article conducts. An ACT To amend an Act entitled "An Act to incorporate the Mount Olivet Cemetery. AN ACT To amend an Act entitled "An Act to incorporate the Mount Olivet Cemetery Company in the District of Columbia."	834
District of Columbia, land claims. AN ACT Authorizing the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission and the Attorney General of the United States, to make equitable adjustments of conflicting claims between the United States and other claimants of lands along the shores of the Potomac River, Anacostia River, and Rock Creek in the District of Columbia. June 4, 1934.	835 836
000000 04	

8663**7°—34**——11

	Page.
District of Columbia, National Society, U. S. Daughters of 1812. AN ACT To exempt from taxation certain property of the National Society United States Daughters of 1812 in	one
the District of Columbia. June 4, 1934_District of Columbia, change in designation of 4½ Street, southwest. AN ACT To change the designation of Four-and-a-half Street southwest to Fourth StreetJune 4, 1934	836 836
Ellen Wilson Memorial Homes, D.C., dissolution, AN ACT To dissolve the Ellen Wilson	837
Memorial HomesJune 4, 1934	
Rivers in the county of Allegheny, Pennsylvania	837
the Waccamaw River, both at or near Georgetown, South Carolina. June 4, 1934. Bridge, Wabash River. AN ACT Granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River,	838
at or near Delphi, IndianaJune 4, 1934 Rridge Ohio River AN ACT Authorizing the city of Shawneetown, Illinois, to construct,	839
maintain, and operate a toll bridge across the Ohio River at or near a point between Washington Avenue and Monroe Street in said city of Shawneetown and a point opposite thereto in the country of Union and State of KentuckyJune 4, 1934	839
Susquehanna River at or near Holtwood, Lancaster CountyJune 4, 1934 Bridge, Connecticut River. AN ACT Granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and	840
operate a free highway bridge across the Connecticut River at Turners Falls, Massachusetts. June 4, 1934 Bridge, Susquehanna River. AN ACT Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the	841
wealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Bainbridge, Lancaster County, and Manchester, York County June 4, 1934 Bridge, Susquehanna River. AN ACT Granting the consent of Congress to the Common-	841
wealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Millersburg, Dauphin County, Pennsylvania Bridge, Red River. AN ACT Authorizing the State Highway Departments of the States of	842
Minnesota and North Dakota to construct, maintain, and operate certain free highway bridges across the Red River from Moorhead, Minnesota, to Fargo, North Dakota June 4, 1934 District of Columbia, fire escapes. AN ACT To amend the Act entitled "An Act to require	842
the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amendedJune 4, 1934Appropriations, District of Columbia, fiscal year 1935. AN ACT Making appropriations for	843
the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amendedJune 4, 1934 Appropriations, District of Columbia, fiscal year 1935. AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposesJune 4, 1934 Congress, time of meeting, terms of Members, electoral votes. AN ACT To provide for changing the time of the meeting of Congress the beginning of the terms of Members of	846
ing the time of the meeting of Congress, the beginning of the terms of Members of Congress, and the time when the electoral votes shall be counted, and for other purposes. June 5, 1934. Board of Indeterminate Sentence and Parole, D. C. AN ACT To amend an Act entitled "An	879
Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July	880
15, 1932 June 5, 1934 Postage rates on certain periodicals. AN ACT To fix the rates of postage on certain periodicals exceeding eight ounces in weight June 5, 1934	880
Railway Mail Service, promotions. AN ACT To remove inequities in the law governing eligibility for promotion to the position of chief clerk in the Railway Mail Service	880
June 5, 1934	881
Securities Exchange Act of 1934. AN ACT To provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges	
and markets, and for other purposesJune 5, 1934	881
of coal lands in the Territory of Alaska, and for other purposes"June 6, 1934 Compacts for prevention of crime. AN ACT Granting the consent of Congress to any two or more States to enter into agreements or compacts for cooperative effort and mutual	909
assistance in the prevention of crime, and for other purposesJune 6, 1934 Quinault Indian Reservation, Wash., timber sales. AN ACT To authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on the	909
Quinault Indian Reservation when it is in the interest of the Indians so to do	910

Trade Agreements Act. AN ACT To amend the Tariff Act of 1930_____June 12, 1934__

943

LIST OF PUBLIC ACTS AND RESOLUTIONS.

	Page.
Bridge, Grand Calumet River. AN ACT Granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Grand Calumet River near Clark Street, in Gary, IndianaJune 12, 1934	945
Bridge, Tennessee River. AN ACT Granting the consent of Congress to the State of Alabama, its agent or agencies, and to Colbert County and to Lauderdale County in the State of Alabama, and to the city of Sheffield, Colbert County, Alabama, and to the	
city of Florence, Lauderdale County, Alabama, or to any two of them, or to either of them, to construct, maintain, and operate a bridge, and approaches thereto, across the Tennessee River at a point between the city of Sheffield, Alabama, and the city of	
Florence, Alabama, suitable to the interests of navigationJune 12, 1934 Bridge, Savanah River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Savanah River at or near Burtons Ferry, near	945
Sylvania, Georgia	946
North Dakota. June 12, 1934	946
Island on the Columbia River in the State of WashingtonJune 12, 1934 Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, NebraskaJune 12, 1934	946 947
Bridge, Saint Marys River. AN ACT Authorizing the city of Sault Sainte Marie, Michigan, its successors and assigns, to construct, maintain, and operate a bridge across the Saint Marys River at or near Sault Sainte Marie, MichiganJune 12, 1934	947
Public works, rates of pay. AN ACT To effectuate the purpose of certain statutes concerning rates of pay for labor, by making it unlawful to prevent anyone from receiving the compensation contracted for thereunder, and for other purposes. June 13, 1934.	941
Government publications. AN ACT To repeal certain provisions of the Act of March 4, 1933, and to reenact sections 4 and 5 of the Act of March 2, 1929June 13, 1934	948
Bridge, Columbia River. AN ACT Authorizing the Oregon-Washington Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River	949
at Astoria, Clatsop County, OregonJune 13, 1934 Bridge, Columbia River. AN ACT Authorizing the county of Wahkiakum, a legal political subdivision of the State of Washington, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River between Puget Island and the	010
mainland, Cathlamet, State of Washington June 13, 1934 Stillaguamish River, flood survey. AN ACT To provide a preliminary examination of Stillaguamish River and its tributaries in the State of Washington, with a view to the control of its floods June 13, 1934 Snohomish River, flood survey. AN ACT To provide a preliminary examination of Snohomish River, flood survey.	950
Snohomish River, flood survey. AN ACT To provide a preliminary examination of Snohomish River and its tributaries in the State of Washington, with a view to the control of its floods. June 13, 1934. Nooksack River, flood survey. AN ACT To provide a preliminary examination of the Nook-	950 951
sack River and its tributaries in the State of Washington, with a view to the control	951
of its floodsJune 13, 1934 Skagit River, flood survey. AN ACT To provide a preliminary examination of Skagit River and its tributaries in the State of Washington, with a view to the control of its flood watersJune 13, 1934	951
Contractors, postal service. AN ACT To authorize the Post Office Department to hold contractors responsible in damages for the loss, rifling, damage, wrong delivery, depredation upon, or other mistreatment of mail matter due to fault or negligence	901
of the contractor or an agent or employee thereofJune 13, 1934 Paint Rock River, flood survey. AN ACT To provide a preliminary examination of the Paint Rock River in Jackson County, Alabama, with a view to the control of its	952
floodsJune 13, 1934	952
erosion of its banks in the State of MassachusettsJune 13, 1934 District of Columbia, American Legion property. AN ACT To exempt from taxation certain property of The American Legion in the District of ColumbiaJune 13, 1934	952 953
Cowlitz River, flood survey. AN ACT To provide a preliminary examination of the Cowlitz River and its tributaries in the State of Washington, with a view to the control of its floods	953
Chehalis River, flood survey. AN ACT To provide a preliminary examination of Chehalis River and its tributaries in the State of Washington, with a view to the control of	953
its floodsJune 13, 1934	
its floods	954
of its flood watersJune 13, 1934	954

Kiowa, etc., Indians of Oklahoma. AN ACT To authorize payment of expenses of formulating claims of the Kiowa, Comanche, and Apache Indians of Oklahoma against the United

States, and for other purposes _____June 16, 1934__

972

972

	Page.
Frank J. Boudinot, allowances. AN ACT Authorizing and directing the Court of Claims, in	
the event of judgment or judgments in favor of the Cherokee Indians, or any of them,	
in suits by them against the United States under the Acts of March 19, 1924, and	
April 25, 1932, to include in its decrees allowances to Frank J. Boudinot, not exceeding	070
5 per centum of such recoveries, and for other purposesJune 16, 1934 Money orders, postal service. AN ACT To compensate the Post Office Department for the	972
extra work caused by the payment of money orders at offices other than those on which	
the orders are drawn June 16. 1934	973
the orders are drawn————————June 16, 1934——Agricultural Adjustment Act, amendment. AN ACT To amend an Act entitled "An Act to	•••
relieve the existing national economic emergency by increasing agricultural purchasing	
nower to reign revenue for extraordinary expanses incurred by reason of such omen	
gency, to provide emergency relief with respect to agricultural indebtedness, to pro-	
vide for the orderly liquidation of joint-stock land banks, and for other purposes",	070
approved May 12, 1955	973
gency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933	
of class B in residential districts June 16, 1934	974
of class B in residential districts	0.1
contractors whose costs of performance were increased as a result of compliance with	
the Act approved June 16, 1933, and for other purposesJune 16, 1934 New Mexico, public lands. AN ACT Providing for the issuance of patents upon certain	974
New Mexico, public lands. AN ACT Providing for the issuance of patents upon certain	
conditions to lands and accretions thereto determined to be within the State of New	
Mexico in accordance with the decree of the Supreme Court of the United States	
entered April 9, 1928 June 16, 1934 June 17, 1934 June 18, 1934 June 18, 1934 June 19, 1928 June 19,	975
International Council of Scientific Unions, etc. AN ACT To authorize appropriations to pay	
the annual share of the United States as an adhering member of the International Council of Scientific Unions and associated unionsJune 16, 1934.	976
Sea lients Alaska maters An ACT To reneal certain laws providing for the protection of sea	910
lions in Alaska waters June 16 1934	976
Sea lions, Alaska waters. AN ACT To repeal certain laws providing for the protection of sea lions in Alaska waters.———————————————June 16, 1934————————————————————————————————————	0.0
of 1920 with reference to oil- or gas-prospecting permits and leasesJune 16, 1934 Memorial archways authorized. JOINT RESOLUTION Authorizing suitable memorials in	977
Memorial archways authorized. JOINT RESOLUTION Authorizing suitable memorials in	
honor of James Wilson and Seamen A. KnappJune 16, 1934	977
Parliament of upper Canada, mace. JOINT RESOLUTION Authorizing the President to	
honor of James Wilson and Seamen A. KnappJune 16, 1934. Parliament of upper Canada, mace. JOINT RESOLUTION Authorizing the President to return the mace of the Parliament of upper Canada to the Canadian Government	
June 16, 1934	978
Trading with the Enemy Act, amendment. AN ACT To amend section 24 of the Trading with the Enemy Act, amendment. AN ACT To amend section 24 of the Trading with the Enemy Act, as amended	050
the Enemy Act, as amended June 18, 1934	978
Chippewa Indians of Invinesora, carms. An ACI 10 amend an ACI approved May 14, 1920	
submit claims to the Court of Claims"	979
Protecting trade against interference by violence. AN ACT To protect trade and commerce	0.0
against interference by violence, threats, coercion, or intimidationJune 18, 1934 Chippewa Indians of Minnesota, attorneys. AN ACT To amend the Act approved June 28, 1932 (47 Stat. L. 337)June 18, 1934 King Hill Irrigation District, Idaho. AN ACT To convey to the King Hill Irrigation	979
Chippewa Indians of Minnesota, attorneys. AN ACT To amend the Act approved June 28,	
1932 (47 Stat. L. 337) June 18, 1934	980
King Hill Irrigation District, Idaho. AN ACT To convey to the King Hill Irrigation	
District. State of Idano, all the interest of the United States in the King fill rederal	000
Reclamation Project, and for other purposesJune 18,1934_ Bridge, Missouri River. AN ACT Creating the Florence Bridge Commission and authorizing	980
Briage, Missouri River. AN ACT Creating the Florence Bridge Commission and authorizing	
said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Missouri River at or near Florence, NebraskaJune 18, 1934	981
Pioneer National Monument Ky AN ACT To provide for the creation of the Pioneer	201
National Monument in the State of Kentucky, and for other purposes, June 18, 1934	982
Pioneer National Monument, Ky. AN ACT To provide for the creation of the Pioneer National Monument in the State of Kentucky, and for other purposes. June 18, 1934. Oyster planters, loans. AN ACT To authorize production credit associations to make loans to	
oyster planters June 18, 1934 Bridge, Saint Clair River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Saint Clair River at or near Port Huron,	983
Bridge, Saint Clair River. AN ACT To extend the times for commencing and completing	
the construction of a bridge across the Saint Clair River at or near Port Huron,	000
Michigan June 18, 1934 Junean allotments, etc. AN ACT To conserve and develop Indian lands and resources; to	983
extend to Indians the right to form business and other organizations; to establish a	
credit system for Indians; to grant certain rights of home rule to Indians; to provide	
for vocational education for Indians; and for other purposesJune 18, 1934	984
Bridge, Lake Champlain. AN ACT Granting the consent of Congress to the State Board of	
Public Works of the State of Vermont to construct, maintain, and operate a toll bridge	
across Lake Champlain at or near West Swanton, VermontJune 18, 1934	988
Postal Service, commissions of postmasters. AN ACT To enable the Postmaster General to	000
withhold commissions on false returns made by postmastersJune 18, 1934	989
Postal service, claims. AN ACT To amend the Act entitled "An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or	
master General to aujust certain claims of postmasters for loss by burguary, fire, or other unacidable escuelty" approved Monch 17, 1889, as amonded. Line 19, 1024	990
other unavoidable casualty", approved March 17, 1882, as amended. June 18, 1934 Bankruptcy Act of 1898, amendment. AN ACT To amend section 4 of "An Act to amend	000
an Act entitled 'An Act to establish a uniform system of bankruptey throughout the	
United States', approved July 1, 1898, and Acts amendatory thereof and supple-	
United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto'', approved June 7, 1934June 18, 1934	991
- · · · · · · · · · · · · · · · · · · ·	

LIST OF PUBLIC ACTS AND RESOLUTIONS. XXIII

	Page.
Salmon River, flood control. AN ACT Authorizing the control of floods in the Salmon River, AlaskaJune 18, 1934	991
Reidge Missouri River. AN ACT Authorizing the city of Atchison. Kansas, and the county	001
of Buchanan, Missouri, or either of them or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally,	
to construct, maintain, and operate a free highway bridge across the Missouri River	
at or near Atchison, KansasJune 18, 1934	991
at or near Atchison, Kansas	992
Domestic registered, insured, etc., mail. AN ACT To authorize the Postmaster General to	002
charge an additional fee for effecting delivery of domestic registered, insured, or collect-	
on-delivery mail, the delivery of which is restricted to the addressee only, or to the	992
addressee or order June 18, 1934 Receivers, etc., in Federal courts. AN ACT Making receivers appointed by any United States	
courts and authorized to conduct any business, or conducting any business, subject to taxes levied by the State the same as if such business were conducted by private	
individuals or corporationsJune 18, 1934	993
individuals or corporations	
orizing an appropriation to provide for emergency construction of public highways and related projects, and to amend the Federal Aid Road Act, approved July 11, 1916.	
as amended and supplemented, and for other purposesJune 18, 1934 Fraudulent claims. AN ACT To amend section 35 of the Criminal Code of the United	993
Fraudulent claims. AN ACT To amend section 35 of the Criminal Code of the United	996
StatesJune 18, 1934 D.C., Alcoholic Beverage Control Act, amendment. AN ACT To amend section 11 of the District of Columbia Alcoholic Beverage Control ActJune 18, 1934	990
District of Columbia Alcoholic Beverage Control ActJune 18, 1934	997
Malt, etc., for resale to baker, etc. AN ACT To amend section 601 (c) (2) of the Revenue Act June 18, 1934	998
of 1932 June 18, 1934 Foreign trade zones. AN ACT To provide for the establishment, operation, and mainte-	000
nance of foreign-trade zones in ports of entry of the United States, to expedite and	998
encourage foreign commerce, and for other purposes June 18, 1934 Bridge, Susquehanna River. AN ACT Granting the consent of Congress to the Common-	990
wealth of Pennsylvania to construct, maintain, and operate a toll bridge across the	1000
Susquehanna River at or near York Furnace, PennsylvaniaJune 18, 1934 Douglas City, Alaska, bonds. AN ACT To authorize the incorporated town of Douglas City,	1003
Alaska, to undertake certain municipal public works, including construction, recon-	
struction, enlargement, extension, and improvements of its water-supply system; and construction, reconstruction, enlargement, extension, and improvements to sewers,	
and for such purposes to issue bonds in any sum not exceeding \$40,000June 18, 1934	1004
Bridge, Susquehanna River. AN ACT Granting the consent of Congress to the Common-	
wealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Middletown, Dauphin County, Pennsylvania	
Fairbanks, Alaska, bonds. AN ACT To authorize the incorporated town of Fairbanks,	1005
Fairbanks, Alaska, bonds. AN ACT To authorize the incorporated town of Fairbanks, Alaska, to undertake certain municipal public works, including construction, recon-	
struction, and extension of sidewalks; construction, reconstruction, and extension of	
sewers, and construction of a combined city hall and fire-department building, and	1006
for such purposes to issue bonds in any sum not exceeding \$50,000. June 18, 1934. Investigation Division, Department of Justice. AN ACT To empower certain members of	1000
the Division of Investigation of the Department of Justice to make arrests in certain	****
cases, and for other purposesJune 18, 1934 Bridge, Lake Sabine. AN ACT Authorizing the city of Port Arthur, Texas, or the commis-	1008
sion hereby created and its successors, to construct, maintain, and operate a bridge	
over Lake Sabine, at or near Port Arthur, TexasJune 18, 1934_Bridge, Merrimack River. AN ACT Granting the consent of Congress to the county com-	1008
missioners of Essex County, in the State of Massachusetts, to construct, maintain,	
and operate a free highway bridge across the Merrimack River, in the city of Lawrence,	1010
MassachusettsJune 18, 1934 Liquor distilleries, etc. AN ACT To authorize the reduction of the required distance be-	1012
tween liquor distilleries and rectifying plants and to authorize higher fences around	
distilleries June 18, 1934 Bridge, Ohio River. AN ACT Authorizing the Sistersville Bridge Board of Trustees to con-	1013
struct, maintain, and operate a toll bridge across the Ohio River at Sistersville, Tyler	
County, West Virginia June 18, 1934 Alcoholic Beverage Control Act, D.C., amendment. AN ACT To amend subsection (a) of	1013
section 23 of the District Alcoholic Beverage Control ActJune 18, 1934	1014
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the	-311
construction of a bridge across the Missouri River at or near Washington, Missouri	1015
Upper Mississippi River Wild Life, etc. AN ACT To authorize the acquisition of additional	
land for the Upper Mississippi River Wild Life and Fish RefugeJune 18, 1934	1015
Bridge, Ohio River. AN ACT Authorizing the Spencer County Bridge Commission, of Spencer County, Indiana, to construct, maintain, and operate a toll bridge across the	
Ohio River between Rockport, Indiana, and Owensboro, Kentucky_June 18, 1934.	1015

	Page.
Puerto Rican, coffee duty. AN ACT Providing for the ratification of Joint Resolution Numbered 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930,	
imposing an import duty on coffee imported into Puerto Rico	1017
Ecuador June 18, 1934 June 18, 1934 Allotment of documents. JOINT RESOLUTION To amend section 72 of the Printing Act, approved January 12, 1895, and Acts amendatory thereof and supplementary thereto, relative to the allotment of public documents, and section 85 of the same Act fixing the date of the expiration of the franking privilege to Member of Congress	1017
June 18, 1934	1017
American-Turkish claims. JOINT RESOLUTION Authorizing appropriation for expenses of representatives of United States to meet at Istanbul, Turkey, with representatives of Turkish Republic for purpose of examining claims of either Government against the	
other and for expense of proceedings before an umpire, if necessaryJune 18, 1934 Settlement of War Claims Act, amendment. JOINT RESOLUTION Extending for two years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission	1018
and the Tripartite Claims Commission, and extending until March 10, 1936, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbiter	1019
International celebration at Fort Niagara. JOINT RESOLUTION Authorizing an appropriation for the participation of the United States in the International Celebration at Fort	1010
Niagara, New YorkJune 18, 1934	1019
of the traffic in containers of distilled spirits. June 18, 1934. Substances used in manufacturing distilled spirits. JOINT RESOLUTION To protect the revenue by requiring information concerning the disposition of substances used in	1020
revenue by requiring information concerning the disposition of substances used in the manufacture of distilled spirits June 18, 1934	1020
the manufacture of distilled spiritsJune 18, 1934 Appropriations, emergencies, fiscal years 1934 and 1935. AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934,	1020
and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes June 19, 1934 Guantanamo Bay naval station, water supply. AN ACT To authorize the Secretary of the	
June 19, 1934_Guantanamo Bay naval station, water supply. AN ACT To authorize the Secretary of the	1021
station at Guantanamo Bay, Cuba	1063
section 217, as amended, of the Act entitled 'An Act to codify, revise, and amend the penal laws of the United States', approved March 4, 1909", approved January 11, 1929, with respect to the use of the mails for the shipment of certain drugs and medicines to cosmetologists and barbers	
1929, with respect to the use of the mails for the shipment of certain drugs and medicines to cosmetologists and barbersJune 19, 1934.	1063
the united States antificitly to make and publish rules in actions at law juile 19, 1904	1064
Communications Act of 1934. AN ACT To provide for the regulation of interstate and foreign communication by wire or radio, and for other purposesJune 19, 1934 Federal Reserve Act, amendment. AN ACT Relating to direct loans for industrial purposes	1064
Federal Reserve Act, amendment. AN ACT Relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes	1105
Air Commerce Act of 1926, amendment. AN ACT To amend the Air Commerce Act of 1926 and to increase the efficiency of the Aeronautics Branch of the Department of Commerce with respect to the development and regulation of civil aeronautics	
Philippine currency reserves. AN ACT Relating to Philippine currency reserves on deposit	1113
in the United States June 19, 1934. Vessels and aircraft, return of seized. AN ACT To amend section 938 of the Revised Statutes	1115
to vest the courts with discretion to refuse to order the return of vessels seized for violation of any law of the United States; and to amend subsection (b) of section 7 of the Air Commerce Act of 1926, as amended to provide for the forfeiture of aircraft.	
used in violation of customs lawsJune 19, 1934 Canal Zone, alcoholic beverages. AN ACT Authorizing the President to make rules and regu- lations in respect to alcoholic beverages in the Canal Zone, and for other purposes	1116
Haiti, Government property. AN ACT To authorize the President to transfer to the Government of Haiti without charge to that Government certain property of the United	1116
States in Haiti June 19, 1934 Bridge, Rio Grande. AN ACT To extend the times for commencing and completing the	1117
construction of a bridge across the Rio Grande at Boca Chica, Texas June 19, 1934. Cohoes Historical Society, trophy guns. AN ACT Donating bronze trophy guns to the Cohoes Historical Society, Cohoes, New YorkJune 19, 1934 California Débris Commission Act, amendment. AN ACT To alent the Act entitled "An Act To alent the Act To alent t	1117 1117
Conoes Historical Society, Conoes, New York. California Débris Commission Act, amendment. AN ACT To amend the Act entitled "An Act to create the California Débris Commission and regulate hydraulic mining in the State of California", approved March 1, 1893, as amended	1118
Completion approved managed at 10001 mo amount of 100 and 101 and 10	

	Page.
Real estate sales. AN ACT Amending section 1 of the Act of March 3, 1893 (27 Stat.L. 751), providing for the method of selling real estate under an order or decree of any United States court	1119
United States court June 19, 1934 El Paso, Tex., quarters for Government services. AN ACT To make provision for suitable quarters for certain Government Services at El Paso, Texas, and for other purposes	
North Dakota, judicial district. AN ACT To amend section 99 of the Judicial Code (U.S.C., title 28, sec. 180), as amended. Postal Service, domestic letters. AN ACT To amend section 3937 of the Revised Statutes	1119 1120
Postal Service, domestic letters. AN ACT To amend section 3937 of the Revised Statutes	
San Antonio, Tex., post-office site. AN ACT Authorizing the Secretary of the Treasury to	1120
Texas, for street purposes, in exchange for land for the benefit of the Government property Land Zone Code. AN ACT To establish a Code of Laws for the Canal Zone, etc.	1121
United States National Archives. AN ACT To establish a National Archives of the United	1122
States Government, and for other purposes	1122
(47 Stat. 306), entitled "An Act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River"June 19, 1934 American Legion encampment, 1934. AN ACT To authorize the Secretary of War to lend War Department equipment for use at the Sixteenth National Convention of the	1124
American Legion at Miami, Florida, during the month of October 1934	1124
June 19, 1934	
District of Columbia, life insurance. AN ACT To regulate the business of life insurance in	1125
United States Courts, habeas corpus proceedings. AN ACT To amend section 766 of the	1125
Diver 1 archase Act of 1934. An ACT TO authorize the Secretary of the Treasury to Dur-	1177
chase silver, issue silver certificates, and for other purposesJune 19, 1934 Ninth Pan American Sanitary Conference, expenses of delegates. JOINT RESOLUTION To provide for the expenses of delegates of the United States to the Ninth Pan American	1178
Sanitary ConferenceJune 19, 1934 International Labor Organization, membership. JOINT RESOLUTION Providing for mem-	1182
bership of the United States in the International Labor Organization. June 19, 1934. National Industrial Recovery Act. policies. JOINT RESOLUTION To effect us to further	1182
the policy of the National Industrial Recovery Act	1183
Act to place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign	
commerce, to provide funds for paying additional benefits under the Agricultural	
commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes" (Public, Numbered 169, Seventy-third Congress), approved April 21, 1934.	1184
Seneca Indian School, Okla., acquisition of site. AN ACT To authorize, the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Okla-	
homa, is locatedJune 21, 1934 Public Lands, issue of patents. AN ACT Authorizing the Secretary of the Interior to issue	1184
patents to the numbered school sections in place, granted to the States by the Act approved February 22, 1889, by the Act approved January 25, 1927 (44 Stat. 1026).	
and by any other Act of Congress June 21, 1934—Public Lands, homestead rights. AN ACT To restore homestead rights to certain cases	1185
Railway Labor Act, amendment. AN ACT To amend the Railway Labor Act approved May	1185
20, 1926, and to provide for the prompt disposition of disputes between carriers and	***
their employeesJune 21, 1934 Reconstruction Finance Corporation Act, amendment. AN ACT To amend section 5 of Public	1185
Act Numbered 2 of the Seventy-second Congress, as amended June 21, 1934 Yaquina Bay Lighthouse Reservation, Oreg. AN ACT Authorizing the Secretary of Commerce to dispose of a portion of the Yaquina Bay Lighthouse Reservation, Oregon	1198
Monocacy, Md., military park. AN ACT To establish a national military park at the battle-	1198
field of Monocacy, MarylandJune 21, 1934	1198
ration of the three-hundred the antiversary of the founding of the Colony of Connecticut	1200
and operation of a vessel for use in research work with respect to ocean fisheries	
June 21, 1934_	1201

LIST OF PUBLIC ACTS AND RESOLUTIONS.

 $\mathbf{x}\mathbf{x}\mathbf{v}$

	Page.
Civil Service Retirement Act of 1930, amendment. AN ACT To amend the Civil Service Retirement Act of May 29, 1930, and for other purposes. June 22, 1934	1201
ment Act of May 29, 1930, and for other purposesJune 22, 1934 Bridge, Agate Pass. AN ACT To revive and reenact the Act entitled "An Act to authorize	1201
the Bainbridge Island Chamber of Commerce, a corporation, its successors and assigns.	
to construct, maintain, and operate a bridge across Agate Pass connecting Bainbridge Island with the mainland in Kitsap County, State of Washington", approved March	
Island with the mainland in Kitsap County, State of Washington", approved March	
2, 1929 June 22, 1934	1203
Fort Douglas Military Reservation, conveyance. AN ACT To grant a portion of the Fort Douglas Military Reservation to the University of Utah, Salt Lake City, Utah	
Douglas whitery Reservation to the University of Utan, Sait Lake City, Utan	1203
Pure Food and Drug Act, amendment. AN ACT To amend the Act entitled "An Act for pre-	1200
venting the manufacture, sale, or transportation of adulterated or misbranded or poi-	
sonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic there-	
in, and for other purposes", approved June 30, 1906, as amendedJune 22, 1934 Vehicle hire from postal employees. AN ACT To authorize the Postmaster General to hire	1204
Vehicle hire from postal employees. AN ACT To authorize the Postmaster General to hire	100=
vehicles from postal employees. Appropriation, mineral spring, Lincoln, Nebr. AN ACT Making appropriation to restore water of high mineral content on land owned and controlled by the Federal Govern-	1205
water of high mineral content on land owned and controlled by the Rederal Govern-	
ment June 22, 1934	1205
Wilmington, Del., exchange of lands. AN ACT Providing for the transfer of certain lands	
from the United States to the city of Wilmington, Delaware, and from the city of	
Wilmington, Delaware, to the United StatesJune 22, 1934	1205
Postal service, conveyance of private letters. AN ACT Relating to conveyance of letters by private hands without compensation, or by special messenger employed for the par-	
figurar occasion only	1207
Claims, adjustment, etc., by Postmaster General. AN ACT To amend section 392 of title 5 of	120.
ticular occasion onlyJune 22, 1934	1207
Findlay, Ohio, public building. AN ACT To authorize the Secretary of the Treasury to amend	
the contract for sale of post-office building and site at Findlay, OhioJune 22, 1934	1207
Bridge, Eleven Points River. AN ACT Granting the consent of Congress to the State Highway Commission to construct, maintain, and operate a free highway bridge across	
Eleven Points River in the northwest half of section 31, township 25 north range 3	
Eleven Points River in the northwest half of section 31, township 25 north, range 3 west, eight miles northeast of Alton, on Route B in Oregon County, Missouri	
June 22. 1934	1208
Monterey, Calif., easement. AN ACT To grant to the city of Monterey, California, an easement for street purposes over certain portions of the military reservation at Monterey,	
ment for street purposes over certain portions of the military reservation at Monterey,	1000
California June 23, 1934 — Writings of George Washington. AN ACT Authorizing the George Washington Bicentennial Commission to print and distribute additional sets of the writings of George Wash-	1208
Commission to print and distribute additional sets of the writings of George Wash-	
ington June 23 1934	1210
Federal Prison Industries. AN ACT To authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes	
the more effective diversification of prison industries, and for other purposes June 23, 1934	1011
San Diego, Calif., Pueblo lands. AN ACT Authorizing the sale of portions of the Pueblo	1211
lands of San Diego to the City of San Diego, CaliforniaJune 25, 1934.	1212
Runal letter agenciers most al service. AN ACT To adjust the asleries of mural letter corriers	
and for other purposesJune 25, 1934	1212
Aquatic Products, association of producers. AN ACT Authorizing associations of producers of aquatic products. June 25, 1934 June 25, 1934	1019
District of Columbia, building construction. AN ACT Authorizing loans from the Federal	1213
Emergency Administration of Public Works for the construction of certain municipal	
buildings in the District of Columbia, and for other purposesJune 25, 1934 Nez Perce tribe of Indians. AN ACT For the relief of the Nez Perce Tribe of Indians.	1215
Nez Perce tribe of Indians. AN ACT For the relief of the Nez Perce Tribe of Indians	
June 26, 1934	1216
Federal Credit Union System. AN ACT To establish a Federal Credit Union System, to establish a further market for securities of the United States and to make more avail-	
able to people of small means credit for provident purposes through a national system	
of cooperative credit, thereby helping to stabilize the credit structure of the United	
	1216
Army enlisted men, collection of indebtedness. AN ACT To amend the Act of May 22, 1928,	
entitied. An Act to subjorize the collection, in mortally installments, of indeptedness	1000
Crombine Creek: NY flood survey AN ACT To provide for a preliminary examination	1222
due the United States from enlisted men, and for other purposes"June 26, 1934 Cromline Creek, N.Y., flood survey. AN ACT To provide for a preliminary examination of Cromline Creek in the State of New York, with a view to the control of its floods	
Agricultural Adjustment Act, amendment. AN ACT To exempt articles of machinery belting	1223
Agricultural Adjustment Act, amendment. AN ACT To exempt articles of machinery belting	
from the tax on floor stocks imposed by the Agricultural Adjustment Act	1223
Mount Rushmore Memorial Commission, amendment. AN ACT To amend the Act entitled	1440
"An Act creating the Mount Rushmore National Memorial Commission and defin-	
ing its powers and purposes", approved February 25, 1929, and for other purposes	
June 26, 1934 Postal Service, fees, application for entry as second-class matter. AN ACT To reduce the fee	1223
Fostal Service, fees, application for entry as second-class matter. AN ACT To reduce the fee to accompany applications for entry as second-class matter of publications of limited	
circulationJune 26, 1934_	1224

	Page.
Permanent Appropriation Repeal Act. AN ACT Providing that permanent appropriations be subject to annual consideration and appropriation by Congress, and for other purposes	1224
and dealers in certain firearms and machine guns, to tax the sale or other disposal	1444
of such weapons, and to restrict importation and regulate interstate transportation thereof	1236
Coal and asphalt deposits, Choctaw and Chickasaw lands. AN ACT To amend the Act of June 19, 1930 (46 Stat. 788), entitled "An Act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw	
and Chickasaw Nations, Oklahoma, and for other purposes"June 26, 1934	1240
to the processing tax on hogsJune 26, 1934	1241
it is learned that the Federal Trade Commission, because of lack of time, money, and personnel, intends to close its utilities investigation under S. Res. 83, Seventieth Congress, first session, without investigating various important corporations included among those described in said resolution; and	
Whereas it is in the public interest that certain of said corporations be investigated: Therefore be it	1242
defrow the expense of erecting the completed Navy and Marine Memorial Monu-	1040
ment	1243 1243
Thomas Jefferson Memorial, D.C. JOINT RESOLUTION Authorizing the creation of a Federal Memorial Commission to consider and formulate plans for the construction,	1240
on the apex block, Constitution and Pennsylvania Avenues, in the city of Washington. District of Columbia, of a permanent memorial to the memory of Thomas Jeffer-	
son, third President of the United States and author of the Declaration of Independence. June 26, 1934 International Celebration, Fort Niagara, N.Y., participation. JOINT RESOLUTION To	1243
provide an appropriation to enable the United States Army to send certain units to participate in the International Celebration at Fort Niagara, New York	
House of Representatives committees expenses IOINT RESOLUTION To provide an	1244
additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1935	1244
poses"June 27, 1934Indian liquor laws, modification. AN ACT To modify the operation of the Indian liquor	1245
laws on lands which were formerly Indian landsJune 27, 1934	1245
conditions, to provide a system of mutual mortgage insurance, and for other pur-	1246
poses	1265
to adjust water-right charges, to grant other relief on the Federal irrigation projects, and for other purposes", approved May 25, 1926, with respect to certain lands in	
the Langell Valley irrigation districtJune 27, 1934 Decorations, etc., tendered by foreign Governments. JOINT RESOLUTION Authorizing	1266
certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments	1005
Settlement of War Claims Act, amendment. JOINT RESOLUTION To amend the Settlement of War Claims Act of 1928, as amended. June 27, 1934	1267 1267
of War Claims Act of 1928, as amended	1201
development, to stabilize the livestock industry dependent upon the public range, and for other purposes	1269
and economic basis, to prevent unfair competition and practices in the production and marketing of tobacco entering into the channels of interstate and foreign com-	
merce, and for other purposes June 28, 1934 Compensate widows and children, certain World War Veterans. AN ACT To compensate	1275
widows and children of persons who died while receiving monetary benefits for dis- abilities directly incurred in or aggravated by active military or naval service in the	1000
World WarJune 28, 1934 Railroad Retirement Act. AN ACT To provide a retirement system for railroad employees, to provide unemployment relief, and for other purposesJune 27, 1934	1281 1283
Bankruptcy Act of 1898, amendment. AN ACT To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1,	1400
1898, and Acts amendatory thereof and supplementary theretoJune 28, 1934	1289



PUBLIC LAWS OF THE SEVENTY-THIRD CONGRESS

OF THE

UNITED STATES OF AMERICA

Passed at the first session, which was begun and held at the city of Washington, in the District of Columbia, on Thursday, the ninth day of March, 1933, and was adjourned without day on Friday, the sixteenth day of June, 1933.

Franklin D. Roosevelt, President; John N. Garner, Vice President; Key Pittman, President of the Senate pro tempore; Henry T. Rainey, Speaker of the House of Representatives.

[CHAPTER 1.]

AN ACT

To provide relief in the existing national emergency in banking, and for other purposes.

March 9, 1933. [H.R. 1491.] [Public, No. 1.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that a serious emergency exists and that it is imperatively necessary speedily to put into effect remedies of existing uniform national application.

National banking system.
Emergency declared

TITLE I

proclamations heretofore or hereafter taken, promulgated, made, or issued by the President of the United States or the Secretary of the Treasury since March 4, 1933, pursuant to the authority conferred by subdivision (b) of section 5 of the Act of October 6, 1917, as amended, are hereby approved and confirmed.

Sec. 2. Subdivision (b) of section 5 of the Act of October 6, 1917 (40 Stat. L. 411), as amended, is hereby amended to read as follows:

"(b) During time of war or during any other period of national emergency declared by the President, the President may, through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in female or designate.

transfers of credit between or payments by banking institutions as defined by the President, and export, hoarding, melting, or earmarking of gold or silver coin or bullion or currency, by any person within the United States or any place subject to the jurisdiction thereof; and the President may require any person engaged in any compulsory transaction referred to in this subdivision to furnish under oath, complete information relative thereto, including the production of any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed. Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction, be fined not more than \$10,000, or, if a natural person, may be imprisoned

testi-

Punishment for vio-

Federal Reserve Act, amended. Vol. 39, p. 752. Emergency impound-ing of gold.

Authority of Secre-tary of Treasury.

Exchange for any other form of currency,

Hoarding, etc., deemed an offense.

Penalty.

Operations of the Na-tional Banking and Federal Reserve Sys-Emergency suspension, etc., provided for.

Proclamation.

for not more than ten years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished by a like fine, imprisonment, or both.
"Person" construed. As used in this subdivision the term 'person' means an individual, partnership, association, or corporation."

Sec. 3. Section 11 of the Federal Reserve Act is amended by

adding at the end thereof the following new subsection:

"(n) Whenever in the judgment of the Secretary of the Treasury such action is necessary to protect the currency system of the United States, the Secretary of the Treasury, in his discretion, may require any or all individuals, partnerships, associations and corporations to pay and deliver to the Treasurer of the United States any or all gold coin, gold bullion, and gold certificates owned by such individuals, partnerships, associations and corporations. Upon receipt of such gold coin, gold bullion or gold certificates, the Secretary of the Treasury shall pay therefor an equivalent amount of any other form of coin or currency coined or issued under the laws of the United States. The Secretary of the Treasury shall pay all costs of the transportation of such gold bullion, gold certificates, coin, or currency, including the cost of insurance, protection, and such other incidental costs as may be reasonably necessary. individual, partnership, association, or corporation failing to comply with any requirement of the Secretary of the Treasury made under this subsection shall be subject to a penalty equal to twice the value of the gold or gold certificates in respect of which such failure occurred, and such penalty may be collected by the Secretary of the Treasury by suit or otherwise."

Sec. 4. In order to provide for the safer and more effective operation of the National Banking System and the Federal Reserve System, to preserve for the people the full benefits of the currency provided for by the Congress through the National Banking System and the Federal Reserve System, and to relieve interstate commerce of the burdens and obstructions resulting from the receipt on an unsound or unsafe basis of deposits subject to withdrawal by check, during such emergency period as the President of the United States by proclamation may prescribe, no member bank of the Federal Reserve System shall transact any banking business except to such extent and subject to such regulations, limitations and restrictions as may be prescribed by the Secretary of the Treasury, with the Penalty for violation. approval of the President. Any individual, partnership, corporation, or association, or any director, officer or employee thereof, violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$10,000 or, if a natural person, may, in addition to such Each day a separate fine, be imprisoned for a term not exceeding ten years. Each day that any such violation continues shall be deemed a separate offense.

TITLE II

"Bank Conservation Act."
Citation of title.
Terms construed
Post, p. 72.

SEC. 201. This title may be cited as the "Bank Conservation Act." SEC. 202. As used in this title, the term "bank" means (1) any national banking association, and (2) any bank or trust company located in the District of Columbia and operating under the supervision of the Comptroller of the Currency; and the term "State" means any State, Territory, or possession of the United States, and the Canal Zone.

Conservators

Sec. 203. Whenever he shall deem it necessary in order to conserve the assets of any bank for the benefit of the depositors and other creditors thereof, the Comptroller of the Currency may appoint a conservator for such bank and require of him such bond and security as the Comptroller of the Currency deems proper. The conservator, under the direction of the Comptroller, shall take possession of the books, records, and assets of every description of such bank, and take such action as may be necessary to conserve the assets of such bank pending further disposition of its business as provided by law. Such conservator shall have all the rights, powers, and privileges now possessed by or hereafter given receivers of insolvent national banks and shall be subject to the obligations and penalties, not inconsistent with the provisions of this title, to which receivers are now or may hereafter become subject. During the time that such conservator remains in possession of such bank, the rights of all parties with respect thereto shall, subject to the other provisions of this title, be the same as if a receiver had been appointed therefor. All expenses of any such conservatorship shall be paid out of the vatorship. Expenses of conservatorship shall be paid out of the vatorship. to any other lien provided by this Act or otherwise. The conservator shall receive as salary an amount no greater than that paid to employees of the Federal Government for similar services.

Sec. 204. The Comptroller of the Currency shall cause to be made reports. such examinations of the affairs of such bank as shall be necessary to inform him as to the financial condition of such bank, and the examiner shall make a report thereon to the Comptroller of the Cur-

rency at the earliest practicable date.

Sec. 205. If the Comptroller of the Currency becomes satisfied that servatorship and reit may safely be done and that it would be in the public interest, he sumption of bank business. may, in his discretion, terminate the conservatorship and permit such bank to resume the transaction of its business subject to such terms,

conditions, restrictions and limitations as he may prescribe.

Sec. 206. While such bank is in the hands of the conservator withdrawals or payappointed by the Comptroller of the Currency, the Comptroller may ments for creditors set require the conservator to set aside and make available for with drawal by depositors and payment to other creditors, on a ratable basis, such amounts as in the opinion of the Comptroller may safely be used for this purpose; and the Comptroller may, in his discretion, permit the conservator to receive deposits, but deposits received while the bank is in the hands of the conservator shall not be subject not applicable to. to any limitation as to payment or withdrawal, and such deposits shall be segregated and shall not be used to liquidate any indebted- tion on use, etc. ness of such bank existing at the time that a conservator was appointed for it, or any subsequent indebtedness incurred for the purpose of liquidating any indebtedness of such bank existing at the time such conservator was appointed. Such deposits received while in cash. the bank is in the hands of the conservator shall be kept on hand in cash, invested in the direct obligations of the United States, or deposited with a Federal reserve bank. The Federal reserve banks be kept. Separate accounts to are hereby authorized to open and maintain separate deposit accounts for such purpose, or for the purpose of receiving deposits from State officials in charge of State banks under similar circumstances.

Sec. 207. In any reorganization of any national banking association under a plan of a kind which, under existing law, requires the consent, as the case may be, (a) of depositors and other creditors or (b) of stockholders or (c) of both depositors and other creditors and stockholders, such reorganization shall become effective only (1) when the Comptroller of the Currency shall be satisfied that the plan troller.

Approval of Comptroller. of reorganization is fair and equitable as to all depositors, other cred-

Appointment Bond, etc , required

To take over all books, assets, etc.

Powers and obliga-

Rights under.

Salary.

Bank examination:

Receipt of deposits.

Segregation; restric-

Bank reorganization. Post, p. 72. Requirements, etc.

Or stockholders.

Depositors and other ereditors.

Proviso. Satisfied claims to be deducted.

Plan to apply equally.

Segregation of de-posits to cease.

Proviso.
Notice before turning back control.

itors and stockholders and is in the public interest and shall have approved the plan subject to such conditions, restrictions and limitations as he may prescribe and (2) when, after reasonable notice of Consent of depositions and tors representing 75 per cent of deposits, etc. Such reorganization, as the case may require, (A) depositors and other creditors of such bank representing at least 75 per cent in amount of its total deposits and other liabilities as shown by the books of the national banking association or (B) stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of the national banking association or (C) both depositors and other creditors representing at least 75 per cent in amount of the total deposits and other liabilities and stockholders owning at least two-thirds of its outstanding capital stock as shown by the books of the national banking association, shall have consented in writing to the plan of reorganization: Provided, however, That claims of depositors or other creditors which will be satisfied in full under the provisions of the plan of reorganization shall not be included among the total deposits and other liabilities of the national banking asso-Disposition of records, assets, etc., on When such reorganization becomes effective, all books, records, and assets of the national banking assets. assets of the national banking association shall be disposed of in accordance with the provisions of the plan and the affairs of the national banking association shall be conducted by its board of directors in the manner provided by the plan and under the conditions, restrictions and limitations which may have been prescribed by the Comptroller of the Currency. In any reorganization which shall have been approved and shall have become effective as provided herein, all depositors and other creditors and stockholders of such national banking association, whether or not they shall have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by its provisions, and claims of all depositors and other creditors shall be treated as if they had consented to such plan of reorganization.

Sec. 208. After fifteen days after the affairs of a bank shall have been turned back to its board of directors by the conservator, either with or without a reorganization as provided in section 207 hereof, the provisions of section 206 of this title with respect to the segregation of deposits received while it is in the hands of the conservator and with respect to the use of such deposits to liquidate the indebtedness of such bank shall no longer be effective: Provided, That before the conservator shall turn back the affairs of the bank to its board of directors he shall cause to be published in a newspaper published in the city, town or county in which such bank is located, and if no newspaper is published in such city, town or county, in a newspaper to be selected by the Comptroller of the Currency published in the State in which the bank is located, a notice in form approved by the Comptroller, stating the date on which the affairs of the bank will be returned to its board of directors and that the said provisions of To be furnished each section 206 will not be effective after fifteen days after such date; and on the date of the publication of such notice the conservator shall immediately send to every person who is a depositor in such bank under section 206 a copy of such notice by registered mail addressed to the last known address of such person as shown by the records of the bank, and the conservator shall send similar notice in like manner to every person making deposit in such bank under section 206 after the date of such newspaper publication and before the time when the affairs of the bank are returned to its directors.

Sec. 209. Conservators appointed pursuant to the provisions of this title shall be subject to the provisions of and to the penalties prescribed by section 5209 of the Revised Statutes (U. S. C., Title 12, sec. 592); and sections 112, 113, 114, 115, 116 and 117 of the Criminal Code of the United States (U. S. C., Title 18, secs. 202, 203, 204, 205, 206 and 207), in so far as applicable, are extended to apply to contracts, agreements, proceedings, dealings, claims and controversies by or with any such conservator or the Comptroller of the Currency under the provisions of this title.

SEC. 210. Nothing in this title shall be construed to impair in any powers of President, manner any powers of the President, the Secretary of the Treasury,

the Comptroller of the Currency, or the Federal Reserve Board.

SEC. 211. The Comptroller of the Currency is hereby authorized Rules to be prescribed. and empowered, with the approval of the Secretary of the Treasury, to prescribe such rules and regulations as he may deem necessary in order to carry out the provisions of this title. Whoever violates any rule or regulation made pursuant to this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$5,000, or imprisoned not more than one year, or both.

Provisions governing conservators. R.S. sec. 5209, p. 1007; U.S.C. pp. 291, 475. Vol. 35, p. 1108. Vol. 40, p. 972.

TITLE III

Sec. 301. Notwithstanding any other provision of law, any national banking association may, with the approval of the Comptroller of the Currency and by vote of shareholders owning a majority of the shareholders. Issue of, by vote of shareholders. stock of such association, upon not less than five days' notice, given by registered mail pursuant to action taken by its board of directors, issue preferred stock in such amount and with such par value as shall etc. Amount, par value, be approved by said Comptroller, and make such amendments to its articles of association as may be necessary for this purpose; but, in the case of any newly organized national banking association which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in.

SEC. 302. (a) The holders of such preferred stock shall be entitled to cumulative dividends at a rate not exceeding 6 per centum per annum, but shall not be held individually responsible as such holders for any debts, contracts, or engagements of such association and shall not be liable for assessments to restore impairments in the capital of such association as now provided by law with reference to holders of common stock. Notwithstanding any other provision of law, the holders of such preferred stock shall have such voting rights, and such stock shall be subject to retirement in such manner and on such terms and conditions, as may be provided in the articles of association with the approval of the Comptroller of the Currency.

(b) No dividends shall be declared or paid on common stock until the cumulative dividends on the preferred stock shall have been paid in full; and, if the association is placed in voluntary liquidation or a conservator or a receiver is appointed therefor, no payments shall be made to the holders of the common stock until the holders of the preferred stock shall have been paid in full the par value of such stock plus all accumulated dividends.

Sec. 303. The term "common stock" as used in this title means stock of national banking associations other than preferred stock issued under the provisions of this title. The term "capital" as used in provisions of law relating to the capital of national banking associations shall mean the amount of unimpaired common stock plus

National banks. Preferred stock.

Payment.

Dividends. Post, p. 148.

Liability of share-holders.

Voting rights.

Retirement provi-

Priority.

Definitions. "Common stock."

"Capital,"

"Capital stock."

Reconstruction Fi-nance Corporation. Subscription for preferred stock.

Post, p. 21.

Sale of, permitted.

Increase of outstanding obligations authorized.

the amount of preferred stock outstanding and unimpaired; and the term "capital stock", as used in section 12 of the Act of March 14, 1900, shall mean only the amount of common stock outstanding.

Sec. 304. If in the opinion of the Secretary of the Treasury any national banking association or any State bank or trust company is in need of funds for capital purposes either in connection with the organization or reorganization of such association, State bank or trust company or otherwise, he may, with the approval of the President, request the Reconstruction Finance Corporation to subscribe for preferred stock in such association, State bank or trust company, or to make loans secured by such stock as collateral, and the Reconstruction Finance Corporation may comply with such request. Reconstruction Finance Corporation may, with the approval of the Secretary of the Treasury, and under such rules and regulations as he may prescribe, sell in the open market or otherwise the whole or any part of the preferred stock of any national banking association, State bank or trust company acquired by the Corporation pursuant to this section. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section.

TITLE IV

Amount of issue.

Value, use, etc.

Redemption.

Regulations.

Tax.

Federal Reserve Act, amendments.

Vol. 38, p. 269, Reserve Act is amended to read as follows:

"Upon the densit with the federal and the second secon

"Upon the deposit with the Treasurer of the United States, (a) "Upon the deposit with the Treasurer of the United States, (a)

Delivery of circulating notes on deposit of U.S. bonds, etc.

Post, p. 21.

"Upon the deposit with the Treasurer of the United States, (a)

drafts, bills of exchange, or bankers' acceptances acquired under the provisions of this Act, any Federal reserve bank making such the provisions of this Act, any Federal reserve bank making such deposit in the manner prescribed by the Secretary of the Treasury shall be entitled to receive from the Comptroller of the Currency circulating notes in blank, duly registered and countersigned. When such circulating notes are issued against the security When such circulating notes are issued against the security of obligations of the United States, the amount of such circulating notes shall be equal to the face value of the direct obligations of the United States so deposited as security; and, when issued against the security of notes, drafts, bills of exchange and bankers' acceptances acquired under the provisions of this Act, the amount thereof shall be equal to not more than 90 per cent of the estimated value of such notes, drafts, bills of exchange and bankers' acceptances so deposited as security. Such notes shall be the obligations of the Federal reserve bank procuring the same, shall be in form prescribed by the Secretary of the Treasury, shall be receivable at par in all parts of the United States for the same purposes as are national bank notes, and shall be redeemable in lawful money of the United States on presentation at the United States Treasury or at the bank of issue. The Secretary of the Treasury is authorized and empowered to prescribe regulations governing the issuance, redemption, replacement, retirement and destruction of such circulating notes and the release and substitution of security therefor. Such circulating notes shall be subject to the same tax as is provided by law for the circulating notes of national banks secured by 2 per cent bonds of the United Issue to cease when emergency terminates; exception.

States. No such circulating notes shall be issued under this paraexception.

States. President has declared by proclamation that the graph after the President has declared by proclamation that the

emergency recognized by the President by proclamation of March 6, 1933, has terminated, unless such circulating notes are secured by deposits of bonds of the United States bearing the circulation privilege. When required to do so by the Secretary of the Treasury, Agent of Treasurer each Federal reserve agent shall act as agent of the Treasurer of Currency. the United States or of the Comptroller of the Currency, or both, for the performance of any of the functions which the Treasurer or the Comptroller may be called upon to perform in carrying out the provisions of this paragraph. Appropriations available for distinctive paper and printing United States currency or national bank currency are hereby made available for the production of the circulating notes of Federal reserve banks herein provided; but the United States shall be reimbursed by the Federal reserve bank to which such notes are issued for all expenses necessarily incurred in connection with the procuring of such notes and all other expenses incidental to their issue, redemption, replacement, retirement and destruction."
Sec. 402. Section 10(b) of the Federal Reserve Act, as amended, is further amended to read as follows:

SEC. 402. Section 10(b) of the Federal Reserve Act, as amended, vol. 47, p. 56, further amended to read as follows:

"Sec. 10(b). In exceptional and exigent circumstances, and when p. 136. Advances to member Advances to member. "Sec. 10(b). In exceptional and exigent circumstances, and which any member bank has no further eligible and acceptable assets available for able to enable it to obtain adequate credit accommodations through rediscount.

Advances to member banks when acceptable assets not available for able to enable it to obtain adequate credit accommodations through rediscount.

Post, p. 21. rediscounting at the Federal reserve bank or any other method provided by this Act other than that provided by section 10 (a), any Federal reserve bank, under rules and regulations prescribed by the Federal Reserve Board, may make advances to such member bank on its time or demand notes secured to the satisfaction of such Federal reserve bank. Each such note shall bear interest at a rate not less than 1 per centum per annum higher than the highest discount rate in effect at such Federal reserve bank on the date of such note. No advance shall be made under this section after March 3, 1934, or after the expiration of such additional period not exceeding one year as the President may prescribe."

SEC. 403. Section 13 of the Federal Reserve Act, as amended, is

amended by adding at the end thereof the following new paragraph:

"Subject to such limitations, restrictions and regulations as the Federal Reserve Board may prescribe, any Federal reserve bank may make advances to any individual, partnership or corporation on the promissory notes of such individual, partnership or corporation secured by direct obligations of the United States. Such advances shall be made for periods not exceeding 90 days and shall bear inter-etc. est at rates fixed from time to time by the Federal reserve bank, subject to the review and determination of the Federal Reserve Board."

TITLE V

Sec. 501. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000,000, which shall be available for expenditure, under the direction of the President and in his discretion, for any purpose in connection with the carrying out of this Act.

SEC. 502. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, March 9, 1933, 8.30 p. m.

Sums available for

Reimbursement.

Security.

Interest.

Expiration.

Advances to viduals, etc. indi-

Security, interest.

Post, p. 20.

Appropriation.

Amendment, etc. Saving provision. 73d CONGRESS. SESS. I. CHS. 2, 3. MARCH 17, 20, 1933.

[CHAPTER 2.]

JOINT RESOLUTION

March 17, 1933. [H. J. Res. 75.] [Pub. Res., No. 1.]

To provide for certain expenses incident to the first session of the Seventy-third

Appropriations for States of America in Congress assembled, That the appropriations session, Seventy-third Congress.

Mileage.
Sums available.
Vol. 47, pp. 1351, 1354. the Philippine Islands, contained in the Legislative Appropriation Act for the fiscal year 1934, are hereby made immediately available and authorized to be paid to Senators, Representatives, Delegates, and Resident Commissioners, for attendance on the first session of the Seventy-third Congress.

Stationery. Vol. 47, p. 1358.

The appropriation for stationery for Representatives, Delegates, and Resident Commissioners, and for the committees and officers of the House, contained in the Legislative Appropriation Act for the Limitations waived. fiscal year 1934, is hereby made immediately available for expendivol. 47, p. 408. ture on account of the first session of the Seventy-third Congress notwithstanding the provisions of section 304 of the Act of June 30, 1932 (47 Stat. 408): *Provided*, That from such sum each Representative, Delegate, and Resident Commissioner shall be allowed \$90 for stationery allowance or commutation therefor.

Approved, March 17, 1933.

[CHAPTER 3.]

service.

AN ACT

March 20, 1933. [H.R. 2820.] [Public, No. 2.]

To maintain the credit of the United States Government.

Maintenance of credit of United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

Veterans.

VETERANS Section 1. That subject to such requirements and limitations as

Pensions.
Regulations of the President.
Post, pp. 524, 1282.
Executive orders, Nos. 6089-6100, March 6, 1933; 6231-6234, July 28, 1933.
Classes entitled.
Disease, etc., in line

Section 1. That subject to such requirements and limitations as shall be contained in regulations to be issued by the President, and within the limits of appropriations made by Congress, the following classes of persons may be paid a pension:

(a) Any person who served in the active military or naval service and who is disabled as a result of disease or injury or aggravation of a preexisting disease or injury incurred in line of duty in such

Disease, etc., in line of a preexisting disease or injury incurred in line of duty in such of duty.

Certain war-time services.

Proviso. Spanish Spanish - American War veteran over 62.

Widows, dependent parents, etc.

of pension as he may deem proper. (c) The widow, child, or children, dependent mother or father, of any person who dies as a result of disease or injury incurred or aggravated in line of duty in the active military or naval service.

(d) The widow and/or child of any deceased person who served

(b) Any person who served in the active military or naval service during the Spanish-American War, including the Boxer Rebellion

and the Philippine Insurrection, or the World War, and who is permanently disabled as a result of injury or disease: *Provided*, That nothing contained in this title shall deny a pension to a Spanish-

American War veteran past the age of sixty-two years entitled to a pension under existing law, but the President may reduce the rate

Designated war serv-

in the active military or naval service during the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

(e) For the purpose of subparagraph (b) of this section, the Fixing World War World War shall be deemed to have ended November 11, 1918.

Sec. 2. The minimum and maximum monthly rate of pension Minimum rates which may be paid for disability or death shall be as follows: For

disability, from \$6 to \$275; for death, from \$12 to \$75.

SEC. 3. For each class of persons specified in subparagraphs (a) and (b) of section 1 of this title the President is hereby authorized to prescribe by regulation the minimum degrees of disability and such higher degrees of disability, if any, as in his judgment should be recognized and prescribe the rate of pension payable for each such degree of disability. In fixing rates of pensions for disability or death the President shall prescribe by regulation such differentiation as he may deem just and equitable, in the rates to be paid to veterans of different wars and/or their dependents and to be paid

(a) Disabilities and deaths resulting from disease or injury incurred or aggravated in line of duty in war-time service;

(b) Disabilities and deaths resulting from disease or injury

incurred or aggravated in line of duty in peace-time service;
(c) Disabilities and deaths not incurred in service. Sec. 4. The President shall prescribe by regulation (subject to the of certain wars. provisions of section 1 (e) of this title) the date of the beginning and of the termination of the period in each war subsequent to the Civil War, including the Boxer Rebellion and the Philippine Insurrection, service within which shall for the purposes of this Act be deemed war-time service. The President shall further prescribe by service, claims, etc. regulation the required number of days of war or peace time service for each class of veterans, the time limit on filing of claims for each class of veterans and their dependents, the nature and extent of proofs and presumptions for such different classes, and any other requirements as to entitlement as he shall deem equitable and just. The President in establishing conditions precedent may prescribe different requirements or conditions for the veterans of different wars and their dependents and may further subdivide the classes of persons as outlined in section 1 of this title and apply different requirements or conditions to such subdivisions.

Sec. 5. All decisions rendered by the Administrator of Veterans' Affairs under the provisions of this title, or the regulations issued pursuant thereto, shall be final and conclusive on all questions of law and fact, and no other official or court of the United States shall have jurisdiction to review by mandamus or otherwise any such

decision.

SEC. 6. In addition to the pensions provided in this title, the Administrator of Veterans' Affairs is hereby authorized under such limitations as may be prescribed by the President, and within the limits of existing Veterans' Administration facilities, to furnish to veterans of any war, including the Boxer Rebellion and the Philippine Insurrection, domiciliary care where they are suffering with permanent disabilities, tuberculosis or neuropsychiatric ailments and medical and hospital treatment for diseases or injuries.

Sec. 7. The Administrator of Veterans' Affairs subject to the general direction of the President and in accordance with regulations to be issued by the President shall administer, execute, and enforce the provisions of this title and for such purpose shall have the same authority and powers as are provided in sections 425, 430, 431, 432, 433, 434, 440, 442, 443, 444, 447, 450, 451, 453, 455, 457, 458, 459, 459a, 459c, 459d, 459e, 459f, title 38, U. S. C., and such other sections

of title 38, U. S. C., as relate to the administration of the laws granting pensions.

Minimum and maxi-Post, p. 524.

Degrees of disability.

Death

War-time service.

Peace-time service.

Not in service.

Classification, condi-tions, etc

Finality of decisions.

Domiciliary care. Post, pp. 301, 525.

Administrator of Vet-Authority, etc.

U.S.C., p. 1215.

Delegation of au-

Sec. 8. The Administrator of Veterans' Affairs is hereby authorized in carrying out the provisions of Title 1 of this Act or any other pension Act to delegate authority to render decisions to such person or persons as he may find necessary. Within the limitations of such delegations, any decisions rendered by such person or persons shall have the same force and effect as though rendered by the Adminis-Approval of regula- trator of Veterans' Affairs. The President shall personally approve

Claims for benefits. Filing, hearings, review, etc.

Post, p. 526.

duty, etc.

Offenses under repealed acts.

Post, p. 11.
Incurred penalties, Incurred penalties, etc., prosecuted.

Perjury.

Punishment for.

Fraudulently accepting pension.

Punishment for.

Fraudulently obtaining money, etc.

all regulations issued under the provisions of this title. SEC. 9. Claims for benefits under this title shall be filed with the Veterans' Administration under such regulations, including provisions for hearing, determination, and administrative review, as the President may approve, and payments shall not be made for any Payments, reopen-period prior to date of application. When a claim shall be finally disallowed under this title and the regulations issued thereunder, it Participation by ben-may not thereafter be reopened or allowed. No person who is entitled to any benefits under this title shall participate in any determination or decision with respect to any claim for benefits under this title.

Retired emergency officers.
Continuance of pay, if retirement due to service injury, etc.
Post, p. 112.

Sec. 10. Notwithstanding the provisions of section 2 of this title, any person who served as an officer of the Army, Navy, or Marine to Corps of the United States during the World War, other than as an officer of the Regular Army, Navy, or Marine Corps during the an officer of the Regular Army, Navy, or Marine Corps during the World War, who made valid application for retirement under the Vol. 45, p. 735, provisions of Public No. 506, Seventieth Congress, enacted May 24, amended. U.S.C., supp. vI, p. 1928, sections 581 and 582, title 38, United States Code, and who prior to the passage of this Act has been granted retirement with pay, shall be entitled to continue to receive retirement pay at the monthly rate now being paid him if the disability for which he has been retired resulted from disease or injury or aggravation of a preexisting disease or injury incurred in line of duty during such service: *Provided*, That such person entered active service between Disability in line of April 6, 1917, and November 11, 1918: *Provided*, That the disease or injury or aggravation of the disease or injury directly resulted from the performance of military or naval duty, and that such person otherwise meets the requirements of the regulations which may be issued under the provisions of this Act.

SEC. 11. All offenses committed and all penalties or forfeiture incurred under the acts repealed by section 17 of this title may be prosecuted and punished in the same manner and with the same effect as if said repeal had not been made and any person who forfeited rights to benefits under any such acts shall not be entitled to any benefits under this title.

SEC. 12. That whoever in any claim for benefits under this title or by regulations issued pursuant to this title, makes any sworn statement of a material fact knowing it to be false, shall be guilty of perjury and shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both.

SEC. 13. That if any person entitled to payment of pension under this title, whose right to such payment under this title or under any regulation issued under this title, ceases upon the happening of any contingency, thereafter fraudulently accepts any such payment, he shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year, or both.

SEC. 14. That whoever shall obtain or receive any money, check, or pension under this title, or regulations issued under this title, without being entitled to the same, and with intent to defraud the United States or any beneficiary of the United States, shall be punished by a fine of not more than \$2,000, or by imprisonment for not more than one year, or both.

Sec. 15. Any person who shall knowingly make or cause to be made, or conspire, combine, aid, or assist in, agree to, arrange for, or in any wise procure the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper, or writing purporting to be such, concerning any claim for benefits under this title, shall forfeit all rights, claims, and benefits under this title, and, in addition to any and all other penalties imposed by law, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

Sec. 16. Every guardian, curator, conservator, committee, or person legally vested with the responsibility or care of a claimant or his estate, having charge and custody in a fiduciary capacity of money paid, under the provisions of this title, for the benefit of any minor or incompetent claimant, who shall embezzle the same in violation of his trust, or convert the same to his own use, shall be punished by a fine not exceeding \$2,000 or imprisonment at hard

labor for a term not exceeding five years, or both.

labor for a term not exceeding five years, or not.

Sec. 17. All public laws granting medical or hospital treatment, nated wars.

domiciliary care, compensation and other allowances, pension, disability allowance, or retirement pay to veterans and the dependents repealed.

Spanish American War. including the Boxer

Boxer 1.508 of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and the World War, or to former members of the military or naval service for injury or disease incurred or aggravated in the line of duty in the military or naval service (except so far as they relate to persons who served prior to the Spanish-American War and to the dependents of such persons, and the retirement of officers and enlisted men of the Regular Army, Navy, Marine Corps, or Coast Guard) are hereby repealed, and all laws granting or pertaining to yearly renewable term insurance are hereby repealed, but payments in accordance with such laws shall continue to the last day of the third calendar month following the month during which this Act is enacted. The Administrator of Veterans' Affairs under the general direction of the President shall Review of allowed immediately cause to be reviewed all allowed claims under the above referred to laws and where a person is found entitled under this Act, authorize payment or allowance of benefits in accordance with the provisions of this Act commencing with the first day of the fourth calendar month following the month during which this Act is enacted and notwithstanding the provisions of section 9 of this Act, no further claim in such cases shall be required: Provided, That nothing contained in this section shall interfere with payments heretofore made or hereafter to be made under contracts of yearly renewable term insurance which have matured prior to the date of enactment of this Act and under which payments have been commenced, or on any judgment heretofore rendered in a court of competent jurisdiction in any suit on a contract of yearly renewable term insurance, or which may hereafter be rendered in any such suit now pending: Provided further, That, subject to such regulations as the President may prescribe, allowances may be granted for burial pens and funeral expenses and transportation of the bodies (including preparation of the bodies) of deceased veterans of any war to the places of burial thereof in a sum not to exceed \$107 in any one case.

The provisions of this title shall not apply to compensation or pension (except as to rates, time of entry into active service and special statutory allowances), being paid to veterans disabled, or dependents of veterans who died, as the result of disease or injury directly connected with active military or naval service (without benefit of statutory or regulatory presumption of service connection)

False affidavits, etc.

Punishment for.

Post, p. 526.

Term insurance. U.S.C., p. 1225.

Ante. p. 10. rovisos Matured insurance.

Funeral, etc., ex-Post, p. 310.

Disabled veterans, pensions, etc.

Ante. p. 10.

Payments for fiscal year 1934 reduced. Post, p. 521.

Emergency officers' pursuant to the provisions of the laws in effect on the date of cluded. The term "compensation or pension" as used in this paragraph shall not be construed to include emergency officers' retired pay referred to in section 10 of this title.

SEC. 18. For the fiscal year ending June 30, 1934, any pension, and/or any other monetary gratuity, payable to former members of the military or naval service in wars prior to the Spanish-American War, and their dependents, for service, age, disease, or injury, except retired pay of officers and enlisted men of the Regular Army, Navy, Marine Corps, or Coast Guard, shall be reduced by 10 per centum of the amount payable.

Effect of Executive

Sec. 19. The regulations issued by the President under this title which are in effect at the expiration of two years after the date of enactment of this Act shall continue in effect without further change or modification until the Congress by law shall otherwise provide.

Transmittal to Con-

SEC. 20. The President shall transmit to the Congress, as soon as practicable after the date of their issue, copies of all regulations issued pursuant to this title.

TITLE II

Officers and emplovees.

OFFICERS AND EMPLOYEES

Sec. 1. When used in this title-

Post, p. 521. Terms construed.

Persons included.

Exempted.

(a) The terms "officer" and "employee" mean any person rendering services in or under any branch or service of the United States Government or the government of the District of Columbia, but do not include (1) officers whose compensation may not, under the Constitution, be diminished during their continuance in office; (2) the Vice President, the Speaker of the House of Representatives, Senators, Representatives in Congress, Delegates, and Resident Commissioners; (3) officers and employees on the rolls of the Senate and House of Representatives; (4) any person in respect of any office, position, or employment the amount of compensation of which is expressly fixed by international agreement; and (5) any person in respect of any office, position, or employment the compensation of which is paid under the terms of any contract in effect on the date of the enactment of this title, if such compensation may not lawfully

"Compensation" defined

be reduced.

(b) The term "compensation" means any salary, pay, wage, allowance (except allowances for travel), or other emolument paid for services rendered in any civilian or noncivilian office, position, or employment; and includes the retired pay of judges (except judges whose compensation, prior to retirement or resignation, could not, under the Constitution, have been diminished), and the retired pay of all commissioned and other personnel of the Coast and Geodetic Survey, the Lighthouse Service, and the Public Health Service, and the retired pay of all commissioned and other personnel of the Army, Navy, Marine Corps, and Coast Guard; but does not include payments out of any retirement, disability, or relief fund made up wholly or in part of contributions of employees.

Payments excluded.

SEC. 2. For that portion of the fiscal year 1933 beginning with the first day of the calendar month following the month during which this Act is enacted, and for the fiscal year ending June 30, 1934, the compensation of every officer or employee shall be determined as follows:

Determination of sal-aries, part of fiscal year 1933 and all of 1934. Post, p. 521.

> (a) The compensation which such officer or employee would receive under the provisions of any existing law, schedule, regulation, Executive order, or departmental order shall first be determined as though this title (except section 4) had not been enacted.

Basis for computing.

(b) The compensation as determined under subparagraph (a) Percentage of this section shall be reduced by the percentage, if any, determined

in accordance with section 3 of this title.

Sec. 3. (a) The President is authorized to investigate through established agencies of the Government the facts relating to the cost of living. Determination of, for of living in the United States during the six months period ending base periods. June 30, 1928, to be known as the base period, and upon the basis of such facts and the application thereto of such principles as he may find proper, determine an index figure of the cost of living during such period. The President is further authorized to make a similar investigation and determination of an index figure of the cost of living during the six months period ending December 31, 1932,

by him under paragraph (a) of this section. The percentage, if any, by which the cost of living index for any six months' period, as provided in paragraph (a) of this section, is lower than such index for the base period, shall be the percentage of reduction applicable under section 2 (b) of this title in determining compensation to be paid during the following six months' period, or such portion thereof during which this title is in offer. existing law, regulation, or Executive order, in the case of subsistence and rental allowances for the services mentioned in the Pay Act of June 10, 1922) shall not exceed 15 per centum.

SEC. 4. (a) Section 4 of An Act Making Appropriations for the vol. 47, p. 1513, Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes, approved March 3, 1933, is

hereby amended to read as follows:

"Sec. 4. (a) The provisions of the following sections of Part II "Sec. 4. (a) The provisions of the following sections of Part II Designated provisions of the Legislative Appropriation Act, fiscal year 1933, are hereby continued effective. Continued in full force and effect during the fiscal year ending June Vol. 47, D. 401. Post, p. 522. 30, 1934, namely sections 105 (except subsections (d) and (e) thereof), 107 (except paragraph (5) of subsection (a) thereof and subsection (b) thereof), 201, 203, 206 (except subsection (a) thereof), 214, 216, 304, 315, 317, 318, and 323, and for the purpose of continuing such sections, in the application of such sections with respect to the fiscal year ending June 30, 1934, the figures '1933' shall be read on '1934'; the figures '1934', and 1934'; the figures '1934'; the figures '19 shall be read as '1934'; the figures '1934' as '1935'; and the figures '1935' as '1936'; and, in the case of section 203, the figures '1932' shall be read as '1933'; except that in the application of such sections with respect to the fiscal year ending June 30, 1934 (but not with respect to the fiscal year ending June 30, 1933), the following amendments shall apply:

"(1) Section 216 is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: 'Provided further, That no employee under the classified civil service shall be furloughed under the provisions of this section for a total of more than 90 days during the fiscal year 1934, except after full and complete compliance with all the provisions of the civil-service

and complete compliance with an the provisions of the state of appropriations and regulations relating to reductions in personnel.'

"(2) Section 317 is amended by striking out the period at the end ations. Limitation "public market" personnel. thereof and inserting in lieu thereof a colon and the following: 'Pro-Limitation "public vided further, That no part of any appropriation for "public works", Vol. 47, p. 1514, nor any appropriation available for "public works" under any appropriation, shall be transferred pursuant to the authority of this section to any appropriation for expenditure for personnel unless such personnel is required upon or in connection

reduc-

Index figure of cost

Other periods.

Vol. 42, p. 628.

Modifications

Furloughs.

Maximum period, fiscal year 1934.
Vol. 47, p. 1514, amended.

Official interpretation conclusive.

Inconsistent acts, etc., suspended.

Suits respecting pay, etc., restricted.

Vol. 47, pp. 401, 402.

Unexpended impounded.

Reduction in permanent, etc., appropria-tions.

Post, p. 15.

Vol. 47, p. 1515, repealed.

Annual leave limitation. Vol. amended.

Civilian employees in Canal Zone; officers holding official station outside United States,

Furloughs, overtime

Vice President and Speaker of the House of Representatives. Senators, Represent-

"Public works" con- with "public works." "Public works" as used in this section shall comprise all projects falling in the general classes enumerated in Budget Statement No. 9, pages A177 to A182, inclusive, of the Budget for the fiscal year 1934, and shall also include the procurement of new airplanes and the construction of vessels under appropriations for "Increase of the Navy." The interpretation by the Director of the Bureau of the Budget, or by the President in the cases of the War Department and the Navy Department, of "public works" as defined and designated herein shall be conclusive.'

"(b) All Acts or parts of Acts inconsistent or in conflict with the provisions of such sections as amended, are hereby suspended during

the period in which such sections, as amended, are in effect.

"(c) No court of the United States shall have jurisdiction of any suit against the United States or (unless brought by the United States) against any officer, agency, or instrumentality of the United States arising out of the application as provided in this section, of

such sections 105 or 107, as amended, unless such suit involves the Constitution of the United States.

"(d) The appropriations or portions of appropriations unexpended by reason of the operation of the amendments made in subsection (a) of this section shall not be used for any purpose, but shall be impounded and returned to the Treasury.

"(e) Each permanent specific annual appropriation available during the fiscal year ending June 30, 1934, is hereby reduced for that fiscal year by such estimated amount as the Director of the Bureau of the Budget may determine will be equivalent to the savings that will be effected in such appropriation by reason of the application of this section and section 7."

(b) Sections 5 and 6 of the Treasury and Post Office Appropria-

tion Act, fiscal year 1934, are hereby repealed.
(c) Section 215 of the Legislative Appropriation Act, fiscal year 47, p. 407, 1933 (relating to the limitation on annual leave), is amended by striking out "Provided further, That nothing herein shall apply to civilian officers and employees of the Panama Canal located on the Isthmus and who are American citizens, or to officers and employees of the Foreign Services of the United States holding official station outside the continental United States" and inserting in lieu thereof "Provided further, That nothing herein shall apply to officers and employees of the Panama Canal and Panama Railroad Company on the Isthmus of Panama, or to officers and employees of the United States (including enlisted personnel) holding official station outside the continental United States or in Alaska."

(d) The following sections of Part II of the Legislative Appro-Furloughs, overtime pay, etc.

Sections repealed.

Vol. 47, pp. 399-403, 406.

Vol. 47, pp. 399-403, 406.

Act is enacted; namely, sections 101, 102, 103, 104, subsections (d) and (e) of section 105, 106, 107 (except paragraphs (1), (2), (3), and (4) of subsection (a) thereof), 108, 112, and 211.

Vice President and Speaker of the House tion. Act fiscal year 1933 is amended to read as follows beginning.

tion Act, fiscal year 1933, is amended to read as follows, beginning with the first day of the calendar month following the month during which this Act is enacted:

Salaries reduced.

(a) The salaries of the Vice President and the Speaker of the Vol. 47, p. 401, House of Representatives are reduced by 15 per centum; and the salaries of Senators, Representatives in Congress, Delegates, and Resident Commissioners are reduced by 15 per centum."

(f) Subsection (b) of section 105 of the Legislative Appropria-Congressional clerk tion Act, fiscal year 1933, is amended to read as follows, beginning with the first day of the calendar month following the month during

which this Act is enacted:

"(b) The allowance for clerk hire of Representatives in Congress, Allowance for, re-Delegates, and Resident Commissioners is reduced by the percentage applicable by law to other employees on the roll of the House of Representatives, such reduced allowance to be apportioned by the Representative, Delegate, or Resident Commissioner among his clerks as he may determine, subject to the limitations of existing law, but the compensation of such clerks shall not be subject to reduction under subsection (c) of this section."

(g) Subsection (c) of section 105 of the Legislative Appropria- Other congressional officers and employees. tion Act, fiscal year 1933, is amended to read as follows, beginning with the first day of the calendar month following the month during

which this Act is enacted:

"(c) The rate of compensation of any person on the rolls of the Senate or of the House of Representatives (other than persons included within subsection (a)), is reduced by the percentage applicable by law to employees of the Government generally."

SEC. 5. The provisions of this title providing for temporary reductions in compensation and suspension in automatic increases in compensation shall not operate to reduce the rate of compensation upon which the retired pay or retirement benefits of any officer or employee would be based but for the application of such provisions, but the amount of retired pay shall be reduced as provided in this title: *Provided*, That retirement deductions authorized by law to be made from the salary, pay, or compensation of officers or employees and transferred or deposited to the credit of a retirement fund, shall be based on the regular rate of salary pay. be based on the regular rate of salary, pay, or compensation instead of on the rate as temporarily reduced under the provisions of this title.

Sec. 6. In the case of a corporation the majority of the stock of which is owned by the United States, the holders of the stock on behalf of the United States, or such persons as represent the interest of the United States in such corporation, shall take such action as may be necessary to apply the provisions of this title to offices, positions, and employments under such corporation and to officers and employe's thereof, with proper allowance for any reduction in compensation since December 31, 1931.

Sec. 7. In any case in which the application of the provisions of Constitutional officers. this title to any person would result in a diminution of compensation prohibited by the Constitution, the Secretary of the Treasury Acceptance; sums is authorized to accept from such person, and cover into the Treasury as miscellaneous receipts, remittance of such part of the compensation of such person as would not be paid to him if such

diminution of compensation were not prohibited.

minution of compensation were not promoted.

Sec. 8. The appropriations or portions of appropriations uneximpounded.

Post, p. 523. pended by reason of the operation of this Act shall not be used for

any purpose, but shall be impounded and returned to the Treasury.

Sec. 9. No court of the United States shall have jurisdiction of Suits arising hereany suit against the United States or (unless brought by the United Court jurisdiction in the United States or (unless brought by the Un States) against any officer, agency, or instrumentality of the United States arising out of the application of any provision of this title, unless such suit involves the Constitution of the United States.

Vol. 47, p. 401.

Rate of pay reduced.

Retired pay.

Government corpo-Pay provisions.

Unexpended sums

Constitution excepted. Post, p. 522.

TITLE III

AMENDMENTS TO LEGISLATIVE APPROPRIATION ACT, FISCAL YEAR, 1933

Legislative Act, fiscal

Executive orders to be transmitted to Con-

Effective date.

gress.

Department reorganization, etc.
Orders to be transmitted within two years. Vol. 47, p. 413.

Section 1. Sections 407 and 409 of Title IV of Part II of the year 1933. 1. Section 1. Sections 407 and 409 of Title IV of Fart II of the vol. 47, pp. 414, 1519, Legislative Appropriation Act, fiscal year 1933, as amended by section amended. 17 of the Treasury and Post Office Appropriation Act, approved

March 3, 1933, are amended to read as follows:
"Sec. 407. Whenever the President makes an Executive order under the provisions of this title, such Executive order shall be submitted to the Congress while in session and shall not become effective until after the expiration of sixty calendar days after such transmission, unless Congress shall by law provide for an earlier effective

date of such Executive order or orders.
"Sec. 409. No Executive order issued by the President in pursuans-two ance of the provisions of section 403 of this title shall become effective unless transmitted to the Congress within two years from the date of the enactment of this Act."

Approved, March 20, 1933.

[CHAPTER 4.]

AN ACT

March 22, 1933. [H.R. 3341.] [Public, No. 3.]

To provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes.

Post, pp. 315, 467. Alcoholic content.

Tax rate.

Terms defined.

R.S. sec. 3244, p. 622. U.S.C., p. 740.

Brewer's tax on each brewery.

Post, p. 315.

Brewer defined.

Laws not repealed. Vol. 40, p. 1105; Vol. 45, p. 868.

Be it enacted by the Senate and House of Representatives of the Revenue tax provi-sions on certain nonin-toxicating liquors. United States of America in Congress assembled, That (a) there states of America in Congress assembled, That (a) there similar fermented malt or vinous liquor, and fruit juice, containing one-half of 1 per centum or more of alcohol by volume, and not more than 3.2 per centum of alcohol by weight, brewed or manufactured and, on or after the effective date of this Act, sold, or removed for consumption or sale, within the United States, by whatever name such liquors or fruit juices may be called, a tax of \$5 for every barrel containing not more than thirty-one gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law, to be collected under the provisions To be in lieu of present tax.

To be in lieu of present tax.

of existing law. The tax imposed by this section upon any beverage shall, if any tax is now imposed thereon by law, be in lieu of such tax from the time the tax imposed by this section takes effect. Noth-holic strength.

Higher or lower alcoholic strength.

To be in lieu of present tax.

Higher or lower alcoholic strength.

To be in lieu of present tax imposed by this section upon any beverage tax from the time the tax imposed by this section takes effect. Noth-holic strength. vinous liquor, or fruit juice, containing more than 3.2 per centum of alcohol by weight, or less than one-half of 1 per centum of alcohol by volume. As used in this section the term "United States" includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(b) Paragraph "First" of section 3244 of the Revised Statutes (U. S. C., title 26, sec. 202) is amended to read as follows:

"First. Brewers shall pay \$1,000 in respect of each brewery. Every person who manufactures fermented liquors of any name or description for sale, from malt, wholly or in part, or from any substitute therefor, containing one-half of 1 per centum or more of alcohol by volume, shall be deemed a brewer."

(c) Nothing in this Act shall be construed as repealing any special tax or administrative provision of the internal revenue laws applicable in respect of any of the following containing one-half of 1 per centum or more of alcohol by volume and not more than 3.2

per centum of alcohol by weight: Beer, ale, porter, wine, similar fermented malt or vinous liquor, or fruit juice.

rmented malt or vinous inquor, or main junce.

Sec. 2. The second, third, and fourth paragraphs of section 37 of Act. Cortain provisions

Act. as amended and supple- Cortain provisions Title II of the National Prohibition Act, as amended and supplemented (U. S. C., title 27, secs. 58, 59, and 60), are hereby repealed.

Sec. 3. (a) Nothing in the National Prohibition Act, as amended

and supplemented, shall apply to any of the following, or to any act or failure to act in respect of any of the following, containing not more than 3.2 per centum of alcohol by weight: Beer, ale, porter, wine, similar fermented malt or vinous liquor, or fruit juice; but the Application to contained to the tainers, not labeled. National Prohibition Act, as amended and supplemented, shall apply etc. to any of the foregoing, or to any act or failure to act in respect of any of the foregoing, contained in bottles, casks, barrels, kegs, or other containers, not labeled and sealed as may be prescribed by regulations.

(b) The following Acts and parts of Acts shall be subject to a Limitation of applica-

like limitation as to their application:

(1) The Act entitled "An Act to prohibit the sale, manufacture, and importation of intoxicating liquors in the Territory of Hawaii during the period of the war, except as hereinafter provided," approved May 23, 1918 (U. S. C., title 48, sec. 520);
(2) Section 2 of the Act entitled "An Act to provide a civil government for Porto Rico, and for other purposes," approved March

2, 1917;
(3) The Act entitled "An Act to prohibit the manufacture or sale of alcoholic liquors in the Territory of Alaska, and for other purposes," approved February 14, 1917 (U. S. C., title 48, secs. 261 to

291, both inclusive).

appropriations for the service of the Post Office Department for the spanning of the service of the Post Office Department for the spanning June 30, 1918, and for other purposes," approved to June 30, 1918, and for other purposes, approved to June 30, 1918, and supplemented (U. S. C., title 18, sec. U.S.C., p. 488; Supp. 341; Supp. VI, title 18, sec. 341), shall prohibit the deposit in or carriage by the mails of the United States, or the delivery by any postmaster or letter carrier, of any mail matter containing any advertisement, etc., by mail.

Vol. 39, p. 1069; vol. 41, p. 313.

U.S.C., p. 488; Supp. VI, p. 242.

Post, p. 316. following containing not more than 3.2 per centum of alcohol by weight: Beer, ale, porter, wine, similar fermented malt or vinous

liquor, or fruit juice.

SEC. 4. (a) The manufacturer for sale of beer, ale, porter, wine, Permit ture, etc. similar fermented malt or vinous liquor, or fruit juice, containing one-half of 1 per centum of alcohol by volume and not more than 3.2 per centum of alcohol by weight, shall, before engaging in business, secure a permit authorizing him to engage in such manufacture, which permit shall be obtained in the same manner as a permit under the National Prohibition Act, as amended and supplemented, to manufacture intoxicating liquor, and be subject to all the provisions of law relating to such a permit. Such permit may one half of 1 per cent. be issued to a manufacturer for sale of any such fermented malt or vinous liquor or fruit juice, containing less than one-half of 1 per centum of alcohol by volume, if he desires to take advantage of the provisions of paragraph (2) of subsection (b) of this section. No local laws prohibit. permit shall be issued under this section for the manufacture of fermented malt or vinous liquor or fruit juice in any State, Territory, or the District of Columbia, or political subdivision of any State or Territory, if such manufacture is prohibited by the law thereof.

(b) (1) Such permit shall specify a maximum alcoholic content mit.

Specifications of permit.

permissible for such fermented malt or vinous liquor or fruit juice at the time of withdrawal from the factory or other disposition,

repealed.
Vol. 41, p. 318.
U.S.C., p. 860.
Acts not affected by. Post, p. 430.

Hawaii. Vol. 40, p. 560. U.S.C., p. 1601. Post, p. 467.

Puerto Rico. Vol. 39, p. 951. U.S.C., p. 1616.

Alaska. Vol. 39, p. 903. U.S.C., p. 1580. Post, p. 583.

Permits to manufac-

86637°-34---2

which shall not be greater than 3.2 per centum of alcohol by weight, nor greater than the maximum alcoholic content permissible under the law of the State, Territory, or the District of Columbia, or the political subdivision of a State or Territory, in which such liquor or fruit juice is manufactured.
(2) In such permit may be included permission to develop in the

Reduction of excess

Removal for reduc-tion, under bond.

manufacture of such fermented malt or vinous liquor or fruit juice by the usual methods of fermentation and fortification or otherwise a liquid such as beer, ale, porter, wine, or fruit juice, of an alcoholic content in excess of the maximum specified in the permit; but before any such liquid is withdrawn from the factory or otherwise disposed of the alcoholic content shall, if in excess of the maximum specified in the permit, be reduced, under such regulations as may be prescribed, to or below such maximum; but such liquid may be removed and transported, under bond and under such regulations as may be prescribed, from one bonded plant or warehouse to another for the purpose of having the percentage of alcohol reduced to the maximum specified in the permit by dilution or extraction. Such liquids may be developed, under permit under the National Prohibition Act, as amended and supplemented, by persons other than manufacturers of beverages containing not more than 3.2 per centum of alcohol by weight, and sold to such manufacturers for conversion into such beverages. The alcohol removed from such liquid, if evaporated, and not condensed and saved, shall not be subject to tax; if saved, it shall be subject to the same law as other alcoholic liquors. Credit shall be allowed on the tax due on any alcohol so saved to the amount of any tax paid upon distilled spirits or brandy used in the fortification of the liquor from which the same is saved.

(3) When fortified wines are made and used for the production

of nonbeverage alcohol, and dealcoholized wines containing not more than 3.2 per centum of alcohol by weight, no tax shall be assessed or paid on the spirits used in such fortification, and such

dealcoholized wines produced under the provisions of this section, whether carbonated or not, shall be subject to the tax imposed by

Tax.

Credit allowed.

Fortified wines.

Burden of proof.

Penalty provisions.

section 1. (4) In any case where the manufacturer is charged with manufacturing or selling for beverage purposes any beer, ale, porter, wine, similar fermented malt or vinous liquor, or fruit juice, containing more than 3.2 per centum of alcohol by weight, the burden of proof shall be on such manufacturer to show that the liquid so manufactured or sold contained no more than 3.2 per centum of alcohol by weight. In any case where a manufacturer, who has been permitted to develop a liquid such as beer, ale, porter, wine, or fruit juice, containing more than the maximum alcoholic content specified in the permit, is charged with failure to reduce the alcoholic content to or below such maximum before such liquid was withdrawn from the factory or otherwise disposed of, then the burden of proof shall be on such manufacturer to show that the alcoholic content of such liquid so manufactured, sold, withdrawn, or otherwise disposed Expense of analysis. of did not exceed the maximum specified in the permit. In any suit or proceeding involving the alcoholic content of any beverage, the reasonable expense of analysis of such beverage shall be taxed as costs in the case.

(c) Whoever engages in the manufacture for sale of beer, ale, porter, wine, similar fermented malt or vinous liquor, or fruit juice, without such permit if such permit is required, or violates any permit issued to him, shall be subject to the penalties and proceedings provided by law in the case of similar violations of the National Prohibition Act, as amended and supplemented.

(d) This section shall have the same geographical application as Geographical appli-

the National Prohibition Act, as amended and supplemented.

SEC. 5. Except to the extent provided in section 4 (b) (2), nothing Excessive alcoholic content prohibited. in section 1 or 4 of this Act shall be construed as in any manner authorizing or making lawful the manufacture of any beer, ale, porter, wine, similar fermented malt or vinous liquor, or fruit juice, which at the time of sale or removal for consumption or sale contains more than 3.2 per centum of alcohol by weight.

Sec. 6. In order that beer, ale, porter, wine, similar fermented malt or vinous liquor, and fruit juice, containing 3.2 per centum or less of alcohol by weight, may be divested of their interstate character in certain cases, the shipment or transportation thereof in any manner or by any means whatsoever, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any foreign country, into any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, which fermented malt or vinous liquor or fruit juice, is intended, by any person interested therein, to be received, possessed, sold, or in any manner used, either in the original package or otherwise, in violation of any law of such State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, is hereby prohibited. Nothing in this section shall be construed as making lawful the shipment or transportation of any liquor or fruit juice the shipment or transportation of which is Vol. 37, p. 699. U.S.C. Supp. VI, prohibited by the Act of March 1, 1913, entitled "An Act divesting p. 598. intoxicating liquors of their interstate character in certain cases (U. S. C., Supp. VI, title 27, sec. 122).

SEC. 7. Whoever orders, purchases, or causes beer, ale, porter, wine, similar fermented malt or vinous liquor, or fruit juice, containing 3.2 per centum or less of alcohol by weight, to be transported in interstate commerce, except for scientific, sacramental, medicinal, or mechanical purposes, into any State, Territory, or the District of Columbia, the laws of which State, Territory, or District prohibit the manufacture or sale therein of such fermented malt or vinous liquor or fruit juice for beverage purposes, shall be fined not more than \$1,000 or imprisoned not more than six months, or both; and for any subsequent offense shall be imprisoned for not more than one year. If any person is convicted under this section any permit issued to him shall be revoked. Nothing in this section shall be construed as making lawful the shipment or transportation of any liquor or fruit juice the shipment or transportation of which is prohibited by section 5 of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal p. 598 vi, year ending June 30, 1918, and for other purposes "approved 34" of the service of the Post Office Department for the fiscal p. 598 vi, year ending June 30, 1918, and for other purposes "approved 34" of the service of the Post Office Department for the fiscal p. 598 vi, year ending June 30, 1918, and for other purposes "approved 34" of the purposes approved 34" of the purposes the purposes of the Post Office Department for the fiscal p. 598 vi, year ending June 30, 1918, and for other purposes approved 34" of the purposes of the Post Office Department for the fiscal p. 598 vi, year ending June 30, 1918, and for other purposes approved 34" of the purposes of the Post Office Department for the fiscal p. 598 vi, year ending June 30, 1918, and for other purposes approved 34" of the principle of the proved 34" of the principle of the pr year ending June 30, 1918, and for other purposes," approved March 3, 1917, as amended and supplemented (U. S. C., Supp. VI, title 27, sec. 123).

SEC. 8. Any offense committed, or any right accrued, or any Preexisting offenses, penalty or obligation incurred, or any seizure or forfeiture made, prior to the effective date of this Act, under the provisions of the National Prohibition Act, as amended and supplemented, or under any permit or regulation issued thereunder, may be prosecuted or enforced in the same manner and with the same effect as if this Act had not been enacted.

Sec. 9. This Act shall take effect on the expiration of fifteen days after the date of its enactment, except that permits referred to under section 4 may be issued at any time after the date of enactment, and except that liquor taxable under section 1 may be removed prior to the effective date of this Act for bottling and storage on

Interstate shipment.

Penalty for violation.

Revocation of permit Advertisements, etc.

Effective date.

Separability clause.

the permit premises until such date and when so removed shall be subject to tax at the rate provided by section 1.

SEC. 10. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, March 22, 1933.

[CHAPTER 5.]

JOINT RESOLUTION

March 23, 1933. [S.J.Res. 14.] [Pub. Res., No. 2.]

To authorize the Reconstruction Finance Corporation to make loans for financing the repair or reconstruction of buildings damaged by earthquake in 1933.

Loans, authorized for repair of earthquake damage in 1933. Post, pp. 99, 120, 283.

Acceptable collateral. Private property.

Municipalities, etc.

Maturities, security.

Limitations.

Resolved by the Senate and House of Representatives of the Resonstruction nance Corporation. Vol. 47, p. 712, amended. U.S.C. Supp. VI, p. U.S.C. Supp. VI, p. Loans, authorized for repair of earthquake

Resolved by the Science and House of Representations of Interference of the Emergency Relief and Construction Act of 1932 (U.S. C., Supp. VI, p. Supp. VI, title 15, sec. 605b) is amended by adding to such subsection (a) after paragraph (5) the following:

"(6) To make loans to nonprofit corporations, with or without

capital stock, organized for the purpose of financing the repair or reconstruction of buildings damaged by earthquake in the year 1933 and deemed by the Reconstruction Finance Corporation economically useful. Obligations accepted hereunder shall be collaterated (a) in the case of loans for the repair or reconstruction of private property, by the obligations of the owner of such property secured by a paramount lien except as to taxes and special assessments on the property repaired or reconstructed, and (b) in the case of municipalities or political subdivisions of States or their public agencies, by an obligation of such municipality, political subdivision, or public agency. The corporation shall not deny an otherwise acceptable application Application for, not The corporation shall not deny an otherwise acceptable application denied by constitutional, etc., inhibitions. for loans for repair or reconstruction of the buildings of municitional, etc., inhibitions. palities, political subdivisions, or their public agencies because of constitutional or other legal inhibitions affecting the collateral. The collateral obligations may have maturities not exceeding ten years. Loans under this paragraph shall be fully and adequately secured. No loan hereunder shall be made after December 31, 1933. The aggregate of the loans made under this paragraph shall not exceed \$5,000,000."

Approved, March 23, 1933.

[CHAPTER 8.]

AN ACT

March 24, 1933. [H.R. 3757] [Public, No. 4.]

To provide for direct loans by Federal reserve banks to State banks and trust companies in certain cases, and for other purposes.

ing system.
Ante, p. 7.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title IV of the Act entitled "An Act to provide relief in the existing national emergency in banking, and for other purposes," approved March 9, 1933, is amended by adding at the end thereof the following new

Direct loans to State banks and trust com-panies authorized.

section:

"SEC. 404. During the existing emergency in banking, or until this section shall be declared no longer operative by proclamation of the President, but in no event beyond the period of one year from the date this section takes effect, any State bank or trust company not a member of the Federal reserve system may apply to the Federal reserve bank in the district in which it is located and

said Federal reserve bank, in its discretion and after inspection and approval of the collateral and a thorough examination of the applying bank or trust company, may make direct loans to such State bank or trust company under the terms provided in section 10 (b) of the Federal Reserve Act, as amended by section 402 of this Act: Provided, That loans may be made to any applying nonmember State bank or trust company upon eligible security. All applications for such loans shall be accompanied by the written tions by State. approval of the State banking department or commission of the State from which the State bank or trust company has received its charter and a statement from the said State banking department or commission that in its judgment said State bank or trust company is in a sound condition. The notes representing such loans shall be culating privilege.

Notes to have circligible as security for circulating notes issued under the provisions of the sixth paragraph of section 18 of the Federal Reserve Act, as Vol. 38, p. 269.

Ante, p. 6. amended by section 401 of this Act, to the same extent as notes, drafts, bills of exchange, or bankers' acceptances acquired under the provisions of the Federal Reserve Act. During the time that Applicability of Federal Reserve Act, etc. such bank or trust company is indebted in any way to a Federal Reserve bank it snail be required provisions of the Federal Reserve Act applicable to member beard banks and the regulations of the Federal Reserve Board issued thereunder: Provided, That in lieu of subscribing to stock in the Federal reserve bank it shall maintain the reserve balance required usite reserve in lieu of stock subscription.

19 of the Federal Reserve Act during the existence of the Federal Reserve Board issued the required the Federal Reserve Board issued the required the Federal Reserve Board issued the Federal Reserve Boa Reserve bank it shall be required to comply in all respects to the term 'State bank or trust company' shall include a bank or trust

company organized under the laws of any State, Territory, or possession of the United States, or the Canal Zone."

Sec. 2. (a) Section 304 of such Act of March 9, 1933, is amended by adding after the first sentence thereof the following new sentences: "Nothing in this section shall be construed to authorize the empt from double liable construction Finance Corporation to subscribe for preferred stock unless exempt from double liable construction Finance Corporation to subscribe for preferred stock after the laws of the State. in any State bank or trust company if under the laws of the State in which said State bank or trust company is located the holders of case in which under the laws of the State in which it is located a stock. State bank or trust company is not possibled. State bank or trust company is not permitted to issue preferred stock exempt from double liability, or if such laws permit such issue of preferred stock only by unanimous consent of stockholders, the Reconstruction Finance Corporation is authorized, for the purposes of this section, to purchase the legally issued capital notes or deben-

tures of such State bank or trust company."

(b) The second sentence of said section 304 is amended to read as follows: "The Reconstruction Finance Corporation may, with the approval of the Secretary of the Treasury, and under such rules and regulations as he may prescribe, sell in the open market the whole or any part of the preferred stock, capital notes, or debentures of any national banking association, State bank or trust company acquired by the corporation pursuant to this section."

Such section 304 is further amended by adding at the end thereof company defined.

Such section are the section of the section the following new sentence: (c) "As used in this section, the term 'State bank or trust company' shall include other banking corporations engaged in the business of industrial banking and under the supervision of State banking departments or of the Comptroller of

the Currency."

Approved, March 24, 1933.

Terms. Vol. 47, p. 56. Ante, p. 7

Sale of, permitted. Ante, p. 6.

[CHAPTER 16.]

JOINT RESOLUTION

March 30, 1933. [H.J.Res. 121.] [Pub. Res., No. 3.]

To provide for the acceptance of sums donated for the construction of a swimming exercise tank for the use of the President.

Resolved by the Senate and House of Representatives of the United

White House swimming tank.

Acceptance of donations for constructing, authorized.

Resolved by the Senate and House of Representatives of the United

States of America in Congress assembled, That the Director of Public

Buildings and Public Parks of the National Capital is surfaced. on behalf of the United States, to accept the fund raised by donations or contributions to cover the cost of constructing, in the West Terrace of the White House, a swimming exercise tank for the use of the President.

Disbursement.

Sec. 2. The amount so received shall be disbursed by the Director for the construction and equipment of such swimming exercise tank and shall be expended in the same manner as appropriations for the maintenance and care of the White House. The amount of the fund in excess of the amount required for the construction and equipment of the swimming exercise tank shall be returned to the donors.

Sec. 3. For the purposes of this resolution, the Director is author-

Unexpended balance be returned to donors.

> ized to request the cooperation and assistance of the architectural, engineering, construction, or other forces of any department or agency of the Government.

Technical, etc., services.

Approved, March 30, 1933.

[CHAPTER 17.]

AN ACT

March 31, 1933. [S. 598.] [Public, No. 5.]

For the relief of unemployment through the performance of useful public work, and for other purposes.

Selection of a con-servation corps among unemployed. Executive Order No. 6101, Apr. 5, 1933.

To perform works of public nature.

Post, p. 955.

Proviso.
Discretionary cooperation with municipalities, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of useful public works.

Post, p. 275.

Selection of a control of the restoration of the country's depleted natural resources and the advancement of an orderly program of useful public works, the President is authorized, under such rules and regulations as he may prescribe and by utilizing such existing departments or agencies as he may designate, to provide for employing citizens of the United States who are unemployed, in the construction, maintenance and carrying on of works of a public nature in connection with the forestation of lands belonging to the United States or to the several States which are suitable for timber production, the prevention of forest fires, floods and soil erosion, plant pest and disease control, the construction, maintenance or repair of paths, trails and fire-lanes in the national parks and national forests, and such other work on the public domain, national and State, and Government reservations incidental to or necessary in connection with any projects of the character enumerated, as the President may determine to be desirable: Provided, That the President may in his discretion extend the provisions of this Act to lands owned by counties and municipalities and lands in private ownership, but only for the purpose of doing thereon such kinds of cooperative work as are now provided for by Acts of Congress in preventing and controlling forest fires and the attacks of forest tree pests and diseases and such work as is necessary in the public interest to control floods. The President is further authorized, by regulation, to provide for housing the persons so employed and for furnishing them with such subsistence, clothing, medical attendance and hospitalization, and

cash allowance, as may be necessary, during the period they are so employed, and, in his discretion, to provide for the transportation of such persons to and from the places of employment. That in Racial, etc., discrimination forbidden. employing citizens for the purposes of this Act no discrimination shall be made on account of race, color, or creed; and no person under conviction for crime and serving sentence therefor shall be employed under the provisions of this Act. The President is further authorized to allocate funds available for the purposes of this Act, for forest research, including forest products investigations, by the Forest Products Laboratory.

SEC. 2. For the purpose of carrying out the provisions of this Act agencies. the President is authorized to enter into such contracts or agreements with States as may be necessary, including provisions for utilization of existing State administrative agencies, and the President, or the head of any department or agency authorized by him to construct any project or to carry on any such public works, shall be authorized to acquire real property by purchase, donation, condemnation, or otherwise, but the provisions of section 355 of the Revised Statutes shall not apply to any property so acquired.

SEC. 3. Insofar as applicable, the benefits of the Act entitled "An sation Act extended. Act to provide compensation for employees of the United States Vol. 39, p. 742. suffering injuries while in the performance of their duties, and for vI, p. 46. other purposes", approved September 7, 1916, as amended, shall extend to persons given employment under the provisions of this Act.

Sec. 4. For the purpose of carrying out the provisions of this Act, there is hereby authorized to be expended, under the direction of the President, out of any unobligated moneys heretofore appropriated for public works (except for projects on which actual construction has been commenced or may be commenced within ninety days, and except maintenance funds for river and harbor improvements already allocated), such sums as may be necessary; and an thorized.

Post no 275 1056

**amount equal to the amount so expended in the amount equal to the amount so expended in the amount so amount equal to the amount so expended is hereby authorized to be appropriated for the same purposes for which such moneys were

originally appropriated.

Sec. 5. That the unexpended and unallotted balance of the sum of \$300,000,000 made available under the terms and conditions of the Act approved July 21, 1932, entitled "An Act to relieve destitution", and so forth, may be made available, or any portion thereof, to any State or Territory or States or Territories without regard to the limitation of 15 per centum or other limitations as to per the sum of the sum o to the limitation of 15 per centum or other limitations as to per

centum.

SEC. 6. The authority of the President under this Act shall con-Duration of authortinue for the period of two years next after the date of the passage hereof and no longer.

Approved, March 31, 1933.

[CHAPTER 18.]

AN ACT

Relating to the prescribing of medicinal liquors.

Be it enacted by the Senate and House of Representatives of the sentence of section 7 of title II of the National Prohibition Act, as amended, is amended to read as follows: "no more liquor shall be prescribed to any person than is necessary to supply his medicinal needs, and no prescription shall be refilled. No person shall by any statement or representation that he knows is false, or could by Analyse Scure, etc.

National Prohibition Act, as Notional Prohibition Act, as amended. Physician's prescriptions. Quantity modified. False statements to secure, etc.

Penal servitude.

Forest research, etc. Allocation of funds.

Acquiring real property. R.S. sec. 355, p. 60, waived. U.S.C., pp. 1302, 1700.

Workmen's Compen-

Sums available.

March 31, 1933. [8. 562.] [Public, No. 6.]

reasonable diligence ascertain to be false, induce any physician to prescribe liquor for medicinal use (1) when there is no medicinal need for such liquor or (2) in excess of the amount of medicinal liquor needed."

concerning Secrecy ailments. Vol. 41, p. 311. U.S.C., p. 855.

Exceptions.

Vol. 41, p. 311.

Unlawful use, re-use, counterfeiting stamps.

Punishment for.

Vol. 42, p. 222, repealed. U.S.C., p. 855.

Spirituous and vin-ous liquor only, to be prescribed.

Exempted articles. Vol. 41, p. 309.

Vol. 46, p. 429. U.S.C. Supp. VI, p. 597.

Regulations as to permits, etc.

Proviso.
Relating to Prohibition Bureau.

(b) Section 7 of title II of such Act, as amended, is further amended by inserting before the period at the end thereof a semi-colon and the following: "but no physician shall be called upon to file any statement of such ailment in the Department of Justice or the Department of the Treasury or in any other office of the Government, or to keep his records in such a way as to lead to the disclosure of any such ailment, except as he may be lawfully required (1) to make such disclosure in any court in the course of a hearing under authority of section 9, title II, of this Act, or (2) to make such disclosure to any duly qualified person engaged in the execution or enforcement of this Act or any Act supplementary hereto."

Prescriptions.
Vol. 41, p. 311, repealed.
U.S.C. p. 856.
Stamps to be substituted for official blanks.
To be affixed, etc., to physician's prescriptions.

SEC. 2. Strike out section 8 of title II of the National Prohibition Act, and insert in lieu thereof the following:

"SEC. 8. The Commissioner shall cause stamps to be printed, the design of which shall be prescribed by regulations in accordance with the provisions of this Act, and he shall furnish the same free physician's prescriptions.

To be affixed, etc., of cost to physicians holding permits to prescribe. Each such physician shall affix one of said stamps to each such prescription written by him and shall enough same under regulations to be written by him and shall cancel same under regulations to be prescribed in accordance with the provisions of this Act. No physician shall prescribe and an above the stamps unlawful. physician shall prescribe and no pharmacist shall fill any prescription for liquor unless such stamp is affixed thereto. Every person who, otherwise than is authorized by this Act, uses or who falsely makes, forges, alters, counterfeits, or re-uses any stamp made or used under any provision of this Act, or with such intent uses, sells, or has in his possesion 1 any such forged, altered, or counterfeited stamp, or any plate or die used or which may be used in the manufacture thereof, or who shall make, use, sell, or have in his possession any paper in imitation of the paper used in the manufacture of any stamp required by this Act, shall, on conviction, be punished by a fine not exceeding \$1,000 or by imprisonment at hard labor not exceeding two years. The effective date of this section 2 shall be not earlier than January 1, 1934."

SEC. 3. Strike out the first paragraph of section 2 of the Act entitled "An Act supplemental to the National Prohibition Act", approved November 23, 1921, and insert in lieu thereof the following: "Sec. 2. Only spirituous and vinous liquor may be prescribed for

medicinal purposes. All prescriptions for any other liquor shall be But this provision shall not be construed to limit the sale of any article the manufacture of which is authorized under section 4, title II, of the National Prohibition Act."

Sec. 4. Strike out subdivision (a) of section 5 of the Prohibition Reorganization Act of 1930, and insert in lieu thereof the following: "(a) The Attorney General and the Secretary of the Treasury shall jointly prescribe all regulations under this Act and the National Prohibition Act relating to permits and prescriptions for liquor for medicinal purposes, and the quantities of spirituous and vinous liquor that may be prescribed for medicinal purposes, and the form of all applications, bonds, permits, records, and reports under such Acts: *Provided*, That all regulations relating to the Bureau of Prohibition in the Department of Justice shall be made by the Attorney General."

Approved, March 31, 1933.

¹So in original.

ICHAPTER 19.1

AN ACT

To provide revenue for the District of Columbia by the taxation of beverages, and for other purposes.

April 5, 1933 [H. R. 3342.] [Public, No. 7.]

Be it enacted by the Senate and House of Representatives of the Taxation of bever-united States of America in Congress assembled, That the term Columbia.

"beverage" as used in this Act means beer, lager beer, ale, porter, Vol. 39, p. 1123, "beverage" as used in this Act means beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquor, and fruit juice, conmended.

"Beverage" defined.

Alcoholic content. taining one-half of 1 per centum or more of alcohol by volume, and not more than 3.2 per centum of alcohol by weight.

Sec. 2. (a) No individual, partnership, association, or corporation facture or sell required. shall within the District of Columbia manufacture for sale or sell any beverage without begins fact attained and sell selections. any beverage without having first obtained a permit under this Act for such manufacture or sale.

(b) No individual shall within the District of Columbia offer for or sale or solicitally orders, without sale, or solicit any order for the sale of, within the District of permit forbidden. Columbia, any beverage unless-

(1) such individual has first obtained a permit of the character described in section 4(a)(5); and

(2) the vendor is the holder of a permit issued under this Act authorizing such sale.

Nothing in this subsection shall apply to any offer for sale or solicitation made upon the premises designated in the permit of the vendor.

SEC. 3. The Commissioners of the District of Columbia are persons to whom permits may be issued. authorized to issue permits to individuals, partnerships, or corporations, but not to unincorporated associations, on application duly made therefor for the manufacture, sale, offer for sale, or solicitation of orders for sale, of beverages within the District of Columbia, subject, however, to the limitations and restrictions imposed by this Act. The Commissioners shall keep a full record of all applications for permits, of all recommendations for and remonstrances against

the granting of permits, and of the action taken thereon.

Sec. 4. (a) Permits issued under authority of this Act shall be of five kinds:

(1) "On sale" permits, which shall be issued only for bona fide restaurants or hotels, or for bona fide incorporated clubs with ing. annual dues of at least \$6. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit, (A) in the case of restaurants, at public tables, but no beverage shall be sold or served in any room not used primarily for the serving and consumption of food; except that beverages may be sold or served to assemblages of more than six individuals in private rooms or at private tables when expressly authorized by the Commissioners, or (B) in the case of hotels or clubs, at tables or in the rooms of guests or members. No such permit shall be issued for Establishment for two months necessary. any restaurant which has not been established and doing business for at least two months immediately prior to the application for such permit: Provided, That it shall be within the discretion of the Commissioners whether any permit under this Act shall be issued for ings. the sale of any such beverages in any building in the District of Columbia owned or leased by the United States and used for the transaction of public business:

(2) "Off sale" permits, which shall authorize the permittee to sell beverages for consumption only off the premises designated in the permit, and not to other permittees for resale, but such sale shall be made only in the immediate container in which the beverage was

Solicitors' permit. Post, p. 26.

Vendor.

Record to be kept.

Kinds of permits.

"On sale."

Provisions govern-

Restaurants.

Hotels or clubs.

Proviso. Sale in public build-

"Off sales." Restrictions, etc. When inoperative

Manufacturers' permits

Wholesalers' permits.

Solicitors' permits.

Vendor's recommendation necessary.

License

Holders of manufac-turer's, etc., permits. Limitation.

Application for and issue of permits.

Conditions.

mittee.
Relationship of, with manufacturer, etc.

received by the "off sale" permittee, except that in the case of an "off sale" permit held by the holder of a manufacturer's or wholesaler's permit beverages may be sold only in such barrels, bottles, or other closed containers as the Commissioners may by regulation prescribe; but no "off sale" permit shall be issued or remain in force in respect of any premises for which an "on sale" permit is in force;

(3) Manufacturers' permits, which shall authorize the permittee to manufacture beverages and to sell the same in barrels, bottles, or

other closed containers to other permittees for resale only;
(4) Wholesalers' permits, which shall authorize the permittee to sell beverages in barrels, bottles, or other closed containers to other

permittees for resale only; and

(5) Solicitors' permits, which shall authorize the permittee within the District of Columbia to offer for sale, or solicit orders for the sale of, within the District of Columbia, any beverage if the vendor of such beverage is the holder of a permit issued under this Act authorizing such sale. Solicitor's permits shall not be issued without the recommendation of the vendor whom the solicitor not represents. Nothing in this Act shall be construed as repealing any represents. Nothing in this Act shan be constitued as repeating any affected.

Vol. 32, p. 622; vol. portion of section 7 of the District of Columbia Appropriation Act

47, p. 550.

for the fiscal year ending June 30, 1903, approved July 1, 1902, as for the fiscal year ending June 30, 1903, approved July 1, 1902, as amended.

(b) The holder of a manufacturer's or wholesaler's permit shall not be entitled to hold an "on sale" permit and may hold only one "off sale" permit, which shall be issued only in respect of the premises designated in his permit as a manufacturer or wholesaler.

Sec. 5. (a) Any individual, partnership, or corporation desiring a permit under this Act shall file with the Commissioners an application therefor in such form as the Commissioners may prescribe, and such application shall contain such information as the Commissioners may require, and (except in the case of an application for a solicitor's permit) shall contain a statement setting forth the name and address of the true and actual owner of the premises upon which the business to be permitted is to be conducted. Before a permit is issued the Commissioners shall satisfy themselves (1) that the applicant is financially responsible, and generally fit for the trust to be in him reposed; (2) that the applicant, if an individual, or if a partnership, each of the members of the partnership, or if a corporation, each of its principal officers and directors, is of good moral character; (3) that the applicant, if an individual, or if a partnership, each of the members of the partnership, or if a corporation, each of its principal officers, is a citizen of the United States not less than 21 years of age, and has never been convicted of a felony; (4) except in the case of an application for a solicitor's permit, that the applicant intends to carry on the business authorized by the permit for himself and not as the agent of any individual, partnership, association, or corporation, and that he intends to superintend in person the management of the business permitted, or intends to have some other person to be approved by the Commis-"On sale", etc., perapplicant for an "on sale" or an "off sale" permit, no manufacnatice.
Relationship of, with
nanufacturer, etc.

"On sale", etc., perapplicant for an "on sale" or an "off sale" permit, no manufacturer or wholesaler of beverages (other than the applicant) has a
substantial financial interest, direct or indirect, in the business for
which the permit is requested or in the premises in respect of which such permit is to be issued, and that such business will not be conducted with any money, equipment, furniture, fixtures, or property rented from, or loaned or given by, any manufacturer or wholesaler; and (6) except in the case of an application for a solicitor's permit, that the proposed location of the business is an

appropriate one, taking into consideration its surroundings and the number of similar permits already issued in the neighborhood where the applicant's business is to be conducted. Not more than five "on Restriction on number of "on sale" persale "permits shall be issued to any one individual, partnership, or mits to any individual, corporation, and a separate application shall be filed with respect to

each place of business.

(b) Any such application shall be verified by the affidavit of the Verifying applicaapplicant, if an individual, or by all the members of a partnership, or by the proper officer of a corporation. If any false statement is knowingly made in such application or in any accompanying statements under oath which may be required by the Commissioners the person making the same shall be deemed guilty of perjury. The Deemed sufficient making of a false statement in any such application or in any such cause for revocation accompanying statements, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the Commissioners, constitute sufficient cause for the revocation of

the permit.

SEC. 6. The fees required for permits issued pursuant to the provisions of this Act shall be as follows: For each "on sale" permit, \$100 per annum; for each "off sale" permit, \$50 per annum; for each manufacturer's permit, \$1,000 per annum; for each wholesaler's permit, \$250 per annum; and for each solicitor's permit, \$1 per annum. The required permit fee shall accompany the application required by section 5 of this Act. A permit shall be good for one year from the date of its issue, unless sooner revoked for cause by the Commissioners, and may, with the approval of the Commissioners, be renewed upon payment of the required fee. Permits shall fer, etc. not be transferred except with the consent of the Commissioners, and each permit (except a solicitor's permit) shall designate the place of business for which it is issued.

SEC. 7. In the event a permittee has designated a person to manage permittee may designate a manager. the business for him, and the employment of such manager shall terminate, such permittee shall forthwith notify the Commissioners of such termination, and shall within a reasonable time thereafter designate a new manager, and such new manager shall be subject to the approval of the Commissioners. If no manager acceptable to the Commissioners is designated within a reasonable time after the employment of the former manager has terminated, the permit shall,

in the discretion of the Commissioners, be revoked.

SEC. 8. If any manufacturer or wholesaler of beverages shall have having financial interaction substantial financial interest, either direct or indirect, in the business of any other "on sale" or "off sale" permittee, or in the premises on which said business conducted, the Commissioners shall, in their discretion, revoke the permit issued in respect to the business in which such manufacturer or wholesaler is so interested. No manufacturer or wholesaler of beverages shall rent, lend, or give to any "on sale" or "off sale" permittee or to the owner of the premises on which the business of any "on sale" or "off sale" permittee is to be conducted any money, equipment, furniture, fixtures, or property with which the business of said permittee is to be conducted.

SEC. 9. Each manufacturer and wholesaler of beverages within the District of Columbia shall, on or before the tenth day of each month, furnish to the assessor of the District of Columbia, on a form to be prescribed by the Commissioners, a statement under oath showing the quantity of beverages sold for resale during the preceding calendar month to each "on sale" and "off sale" permittee within the District of Columbia. Each "on sale" and "off sale" permittee shall, on or before the tenth day of each month, furnish to the

False statements.

Duration of permit.

Restriction on trans-

Reports of sales.

assessor of the District of Columbia, on a form to be prescribed by the Commissioners, a statement under oath showing the quantity of all beverages sold by him during the preceding calendar month.

Sec. 10. No "on sale" or "off sale" permittee shall purchase any

Outside manufacpermit.

by, without beverage from any manufacturer or wholesaler doing business outside of the District of Columbia and not holding a permit issued under the provisions of this Act, and transport or cause the same to be transported into the District of Columbia for resale, unless such manufacturer or wholesaler has obtained from the Commissioners a certificate of approval, which certificate shall not be granted unless and until such manufacturer or wholesaler shall have agreed with the Commissioners to furnish to the assessor of the District of Columbia, Sworn statements of on or before the tenth day of each month, a report under oath, on a form to be prescribed by the Commissioners, showing the quantity of beverages sold or delivered to each "on sale" or "off sale" permittee during the preceding calendar month. If any such manufacturer or wholesaler shall, after obtaining such certificate, fail to submit any such report, the Commissioners shall, in their discretion, revoke such certificate.

Revocation of per-

Tax levied and collected.

Post, pp. 334, 336.

Date when due.

Former act repealed. Vol. 39, p. 1123. Exceptions. "Alcoholic liquor" liquor''

Sales to minors.

Punishment for.

Regulations to be prescribed.

Inspections.

Revocation of permit for violations, etc.

Sec. 11. There shall be levied and collected by the District of Columbia on all beverages sold by any "on sale" or "off sale" permittee within the District of Columbia a tax of \$1 for every barrel of beverages containing not more than thirty-one gallons, and at a like rate for any other quantity, or for the fractional parts thereof. The tax imposed by this section shall be paid by the "on sale" or "off sale" permittee to the collector of taxes of the District of Columbia on or before the 10th day of each month for beverages sold by the permittee during the preceding calendar month.

Sec. 12. The Act entitled "An Act to prohibit the manufacture

and sale of alcoholic liquors in the District of Columbia, and for other purposes", approved March 3, 1917, with the exception of sections 11 and 20 thereof, is hereby repealed; except that the term "alcoholic liquor" used in said section 11 of such Act shall not be construed to include beverages authorized to be manufactured and sold by this Act.

SEC. 13. No "off sale" permittee shall give or sell, and no "on sale" permittee shall give, sell, or serve, any beverage to any person under eighteen years of age. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100, or be imprisoned not longer than six months, or be subject to both such fine and imprisonment.

Sec. 14. The Commissioners are hereby authorized to prescribe such rules and regulations not inconsistent with law, as they may deem necessary, for the issuance of permits, and for the manufacture, sale, offer for sale, or solicitation of orders for sale, of beverages, and the operation of the business of permittees. Such regulations may be altered or amended from time to time as the Commissioners may deem desirable.

Sec. 15. It shall be the duty of the Commissioners to cause frequent inspections to be made of all premises with respect to which any permit shall have been issued under this Act. If any permittee violates any of the provisions of this Act or any of the rules and regulations of the Commissioners promulgated pursuant thereto, or fails to superintend in person or through a manager approved by the Commissioners the business for which the permit was issued, or allows the premises with respect to which the permit of such permittee was issued to be used for any unlawful, disorderly, or immoral purposes, or knowingly employs in the sale or distribution

of beverages any person who has been convicted of a felony, or otherwise fails to carry out in good faith the purposes of this Act, the permit of such permittee may be revoked by the Commissioners after the permittee has been given an opportunity to be heard in

SEC. 16. Whoever violates any of the provisions of this Act (except section 13 thereof) or any of the rules and regulations promulgated pursuant thereto shall, upon conviction thereof by a court of competent jurisdiction, be punished by a fine of not more than \$500 or by imprisonment for not longer than six months, or by both such fine and imprisonment, in the discretion of the court. If any permittee is convicted of a violation of the provisions of this Act or any of the rules and regulations promulgated pursuant thereto, the court shall immediately declare his permit revoked and notify the Commissioners accordingly, and no permit shall thereafter be granted to him within the period of three years thereafter. Any permittee who shall sell or permit the sale on his premises or in connection with his business or otherwise, of any alcoholic beverages not authorized under the terms of this Act, unless otherwise permitted by law, shall, upon conviction thereof, forfeit his permit in addition to any punishment imposed by law for such offense.

SEC. 17. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

SEC. 18. It shall be unlawful to sell or offer for sale any beverage within the District of Columbia prior to April 7, 1933.

Approved, April 5, 1933.

[CHAPTER 20.]

JOINT RESOLUTION

To provide for the payment of pages for the Senate and House of Representatives for the first session of the Seventy-third Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, session, 73d Congress. For the payment of pages from April 1, 1933, until the end of the first session of the Seventy-third Congress, as follows:

For twenty-one pages for the Senate Chamber at the rate of pay provided by law, so much as may be necessary.

For forty-one pages for the House of Representatives, including tives. ten pages for duty at the entrances to the Hall of the House, at the rate of pay provided by law, so much as may be necessary.

Approved, April 14, 1933.

[CHAPTER 21.]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing in the county of Armstrong, Commonwealth of Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Pennsylvania Congress is hereby granted to the Commonwealth of Pennsylvania bridge, Landing. to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near Parkers Landing, in the

Penalty provisions.

Unlawful alcoholic

Penalty.

Saving clause.

Effective date.

April 14, 1933, [H.J.Res. 152. [Pub. Res., No. 4.]

Senate.

House of Representa-

April 29, 1933. [H.R. 4225.] [Public, No. 8.]

Allegheny River. Pennsylvania may ridge, at Parkers

Construction. Vol. 34, p. 84.

county of Armstrong, Commonwealth of Pennsylvania, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 29, 1933.

[CHAPTER 22.]

AN ACT

April 29, 1933 [H.R. 4332.] [Public, No. 9.]

Graning¹ the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River, at a point near the Forest-Venango County line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania.

Allegheny River. Pennsylvania may bridge, in Tionesta Township.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania, to construct, maintain, and operate a free highway bridge, and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, near the Forest-Venango County line, in Tionesta Township, Forest County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act entitled "An Act to Regulate the Construction of Bridges over

Construction. Vol. 34, p. 84.

Amendment.

Navigable Waters" approved March 23, 1906.
Sec. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, April 29, 1933.

[CHAPTER 23.]

JOINT RESOLUTION

May 1, 1933. [H.J.Res. 135.] [Pub. Res., No. 5.]

To amend section 2 of the Act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for

Resolved by the Senate and House of Representatives of the United Crop production States of America in Congress assembled, That section 2 of the Act Vol 47, p. 795, of February 4, 1933 (Public, Numbered 327), be, and the same is Existing act to inhereby, amended by adding at the end of the first sentence thereof, clude first lien on 1934 the words: "and in the case of summer fallowing or winter wheat, a first lien on an agreement to give a first lien on the case of the United Crop, as security. first lien, or an agreement to give a first lien on crops to be harvested in 1934, shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security."

Approved, May 1, 1933.

[CHAPTER 24.]

JOINT RESOLUTION

May 3, 1933. [S.J.Res. 13.] [Pub. Res., No. 6.]

Authorizing the Attorney General, with the concurrence of the Secretary of the Navy, to release claims of the United States upon certain assets of the Pan American Petroleum Company and the Richfield Oil Company of California and others in connection with collections upon a certain judgment in favor of the United States against the Pan American Petroleum Company heretofore duly entered.

Resolved by the Senate and House of Representatives of the Pan American Petroleum Company, etc.
United States of America in Congress assembled, That the Attorney
upon certain assets,
released.

Child States of the United States, with the concurrence of the Secretary
upon certain assets,
released. of the Navy, be, and he is hereby, authorized, in connection with collection of amounts due the United States of America under a

¹ So in original.

certain judgment for \$9,277,666.17 entered in the office of the clerk of the District Court of the United States for the Southern District of California at Los Angeles on January 14, 1933, against the Pan American Petroleum Company, a corporation, to release from claim or lien under said judgment such part or portions of the property and assets of the said Pan American Petroleum Company and the Richfield Oil Company of California, in such manner and with such reservations as shall seem to him proper and advisable, in consideration of payments to the United States to apply upon said judgment, of not less than the sum of \$5,000,000, and in connection therewith to release any claims of the United States against purchasers of oil and petroleum products from the leases commonly known as "E", "I", and "G" leases, or also known as Visalia 010042, 010043, and 010097 leases in naval petroleum reserve numbered 1, Kern County, California, and to consent, in the premises, to the assignment of other oil and gas leases in said naval petroleum reserve numbered 1, now part of the unmortgaged assets of Pan American Petroleum Company, with the concurrence of the Secretary of the Navy and to the assignment of other oil and gas leases, also part of the unmortgaged assets of Pan American Petroleum Company, of the United States outside the said naval petroleum reserve numbered 1, with the consent of the Secretary of the Interior, said assignments to be authorized only to assignees otherwise duly qualified under existing laws: *Provided*, That the authority herein approval not imgranted is permissive only, and shall not be construed as a declara-plied. tion of approval by Congress of the compromise herein authorized to be made, and that said authority shall not be exercised by the optional. Attorney General unless in his judgment said compromise shall appear to him to be for the best interests of the United States.

Approved, May 3, 1933.

[CHAPTER 25.]

AN ACT

To relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes.

May 12, 1933. [H.R. 3835.] [Public, No. 10.]

Be it enacted by the Senate and House of Representatives of the nent Act. nited States of America in Congress assembled,

Agricultural Adjustment Act. Post, pp. 199, 354. United States of America in Congress assembled,

TITLE I—AGRICULTURAL ADJUSTMENT

AGRICULTURAL AD-

DECLARATION OF EMERGENCY

That the present acute economic emergency being in part the consequence of a severe and increasing disparity between the prices of agricultural and other commodities, which disparity has largely destroyed the purchasing power of farmers for industrial products, has broken down the orderly exchange of commodities, and has seriously impaired the agricultural assets supporting the national credit structure, it is hereby declared that these conditions in the basic industry of agriculture have affected transactions in agricultural commodities with a national public interest, have burdened and obstructed the normal currents of commerce in such commodities, and render imperative the immediate enactment of title I of this Act.

Declaration of emer-

Declaration of policy.

DECLARATION OF POLICY

Balance between production and consumption to be established,

for tobacco.

For tobacco.

present Correcting

inequalities.

Protecting ers' interest. consumSec. 2. It is hereby declared to be the policy of Congress-(1) To establish and maintain such balance between the produc-

tion and consumption of agricultural commodities, and such marketing conditions therefor, as will reestablish prices to farmers at a level that will give agricultural commodities a purchasing power with respect to articles that farmers buy, equivalent to the purchas-Base period, except ing power of agricultural commodities in the base period. The base period in the case of all agricultural commodities except tobacco shall be the prewar period, August 1909-July 1914. In the case of tobacco, the base period shall be the postwar period, August 1919-July 1929.

(2) To approach such equality of purchasing power by gradual correction of the present inequalities therein at as rapid a rate as is deemed feasible in view of the current consumptive demand in domestic and foreign markets.

(3) To protect the consumers' interest by readjusting farm production at such level as will not increase the percentage of the consumers' retail expenditures for agricultural commodities, or products derived therefrom, which is returned to the farmer, above the percentage which was returned to the farmer in the prewar period, August 1909-July 1914.

CUTTON OPTION CON-TRACTS,

Duties of designated

Cotton on hand to be sold to Secretary of Agriculture.

Acquiring full title on which money has been loaned, etc.

Method of settlements.

Price to amount loaned.

Senior loans.

Collateral. Computation. PART 1—COTTON OPTION CONTRACTS

SEC. 3. The Federal Farm Board and all departments and other agencies of the Government, not including the Federal intermediate credit banks, are hereby directed-

(a) To sell to the Secretary of Agriculture at such price as may be agreed upon, not in excess of the market price, all cotton now

owned by them.

(b) To take such action and to make such settlements as are necessary in order to acquire full legal title to all cotton on which money has been loaned or advanced by any department or agency of the United States, including futures contracts for cotton or which is held as collateral for loans or advances and to make final settlement of such loans and advances as follows:

1) In making such settlements with regard to cotton, including operations to which such cotton is related, such cotton shall be taken over by all such departments or agencies other than the Secretary of Agriculture at a price or sum equal to the amounts directly or indirectly loaned or advanced thereon and outstanding, including loans by the Government department or agency and any loans senior thereto, plus any sums required to adjust advances to growers to 90 per centum of the value of their cotton at the date of its delivery in the first instance as collateral to the department or agency involved, such sums to be computed by subtracting the total amount already advanced to growers on account of pools of which such cotton was a part, from 90 per centum of the value of the cotton to be taken over as of the time of such delivery as collateral, plus unpaid accrued carrying charges and operating costs on such cotton. less, however, any existing assets of the borrower derived from net income, earnings, or profits arising from such cotton, and from operations to which such cotton is related; all as determined by the department or agency making the settlement.

Cotton held as collateral for loans, etc.

(2) The Secretary of Agriculture shall make settlements with respect to cotton held as collateral for loans or advances made by him on such terms as in his judgment may be deemed advisable, and to carry out the provisions of this section, is authorized to Indemnification lost receipts. indemnify or furnish bonds to warehousemen for lost warehouse

receipts and to pay the premiums on such bonds.

When full legal title to the cotton referred to in (b) has been of Agriculture. acquired, it shall be sold to the Secretary of Agriculture for the purposes of this section, in the same manner as provided in (a).
(c) The Secretary of Agriculture is hereby authorized to purchase

the cotton specified in paragraphs (a) and (b).

SEC. 4. The Secretary of Agriculture shall have authority to row, using warehouse borrow money upon all cotton in his possession or control and receipts as collateral. deposit as collateral for such loans the warehouse receipts for such

Sec. 5. The Reconstruction Finance Corporation is hereby author-nance Corporation. Finance dand directed to advance money and to make loans to the Secre-Loans by, authorized and directed to advance money and to make loans to the Secre-Lo tary of Agriculture to acquire such cotton and to pay the classing. carrying, and merchandising costs thereon, in such amounts and upon such terms as may be agreed upon by the Secretary and the Reconstruction Finance Corporation, with such warehouse receipts as collateral security: Provided, however, That in any instance Proviso.
Security other than where it is impossible or impracticable for the Secretary to deliver warehouse receipts. such warehouse receipts as collateral security for the advances and loans herein provided to be made, the Reconstruction Finance Corporation may accept in lieu of all or any part thereof such other security as it may consider acceptable for the purposes aforesaid, including an assignment or assignments of the equity and interest of the Secretary in warehouse receipts pledged to secure other indebtedness. The amount of notes, bonds, debentures, and other ration increased.

Such obligations which the Reconstruction Finance Corporation is Vol. 47, p. 9. such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section.

Sec. 6. (a) The Secretary of Agriculture is hereby authorized to sell cotton to producer enter into option contracts with the producers of cotton to sell to in lieu of crop producany such producer an amount of cotton to be agreed upon not in excess of the amount of reduction in production of cotton by such producer below the amount produced by him in the preceding crop year, in all cases where such producer agrees in writing to reduce to reduce production. the amount of cotton produced by him in 1933, below his production in the previous year, by not less than 30 per centum, without increase

in commercial fertilization per acre.

(b) To any such producer so agreeing to reduce production the tion contracts. Secretary of Agriculture shall deliver a nontransferable-option contract agreeing to sell to said producer an amount, equivalent to the amount of his agreed reduction, of the cotton in the possession

and control of the Secretary.

(c) The producer is to have the option to buy said cotton at the buy, at price paid by secretary.

Producer's option to buy said cotton at the buy, at price paid by secretary. average price paid by the Secretary for the cotton procured under section 3, and is to have the right at any time up to January 1, 1934, to exercise his option, upon proof that he has complied with his contract and with all the rules and regulations of the Secretary of Agriculture with respect thereto, by taking said cotton upon payment by him of his option price and all actual carrying charges on for producer's account. such cotton; or the Secretary may sell such cotton for the account of such producer, paying him the excess of the market price at the date to producer. of sale over the average price above referred to after deducting all actual and necessary carrying charges: Provided, That in no event shall the producer be held responsible or liable for financial loss incurred in the holding of such cotton or on account of the carrying charges therein: Provided further, That such agreement to curtail

Purchase authorized.

Post, p. 1058.

Provisos. Liability for loss.

Use of land restricted.

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cotton production shall contain a further provision that such cotton producer shall not use the land taken out of cotton production for the production for sale, directly or indirectly, of any other nationally

Undisposed cotton. Similar contracts and restrictions to be pro-vided.

produced agricultural commodity or product.

(d) If any cotton held by the Secretary of Agriculture is not disposed of under subsection (c), the Secretary is authorized to enter into similar option contracts with respect to such cotton, conditioned upon a like reduction of production in 1934, and permitting the producer in each case to exercise his option at any time up to

Provisions for selling, by Secretary.

Post, p. 210.
Provisions.
Total disposition by he shall dispose of all cotton held by him by March 1, 1936:

Additional contracts.

Provided further, That the Secretary shall have authority to enter into additional option contracts for so much of such cotton as is not necessary to comply with the provisions of section 6, in combination with benefit payments as provided for in part 2 of this title.

Commodity benefits.

Part 2—Commodity Benefits

General powers.

GENERAL POWERS

Secretary of Agricul-

To reduce produc-tion of basic agricul-tural commodities. Post, p. 676.

Rental or

Storage of nonperishable commodities on the farm, etc.

Protection. marketing, etc.

Advances, deduction inspection

To enter into marketing agreements with respect to any agricultural commodity, etc.

Not to be held as vio-lating antitrust laws.

Proviso Duration of agreement.
Loans to parties entering agreement; limitation.
Vol. 47, p. 6.

SEC. 8. In order to effecuate 1 the declared policy, the Secretary

of Agriculture shall have power-

(1) To provide for reduction in the acreage or reduction in the production for market, or both, of any basic agricultural commodity, through agreements with producers or by other voluntary methods, and to provide for rental or benefit payments in connection therewith or upon that part of the production of any basic agricultural commodity required for domestic consumption, in such amounts as the Secretary deems fair and reasonable, to be paid out of any moneys available for such payments. Under regulations of the Secretary of Agriculture requiring adequate facilities for the storage of any non-perishable agricultural commodity on the farm, inspection and measurement of any such commodity so stored, and the locking and sealing thereof, and such other regulations as may be prescribed by the Secretary of Agriculture for the protection of such commodity and for the marketing thereof, a reasonable percentage of any benefit payment may be advanced on any such commodity so stored. In any such case, such deduction may be made from the amount of the benefit payment as the Secretary of Agriculture determines will reasonably compensate for the cost of inspection and sealing, but no deduction may be made for interest.

(2) To enter into marketing agreements with processors, associations of producers, and others engaged in the handling, in the current of interstate or foreign commerce of any agricultural commodity or product thereof, after due notice and opportunity for hearing to interested parties. The making of any such agreement shall not be held to be in violation of any of the antitrust laws of the United States, and any such agreement shall be deemed to be lawful: *Provided*, That no such agreement shall remain in force after the termination of this Act. For the purpose of carrying out any such agreement the parties thereto shall be eligible for loans from the Reconstruction Finance Corporation under section 5 of the Reconstruction Finance Corporation Act. Such loans shall not be in excess of such amounts as may be authorized by the agreements.

¹So in original.

ducers, and others to engage in the handling, in the current of any agricultural commodity or product thereof, or any competing commodity or product thereof.

Terms of issue Such licenses shall be subject to such terms and conditions, not in conflict with existing Acts of Congress or regulations pursuant thereto, as may be necessary to eliminate unfair practices or charges that prevent or tend to prevent the effectuation of the declared policy and the restoration of normal economic conditions in the marketing of such commodities or products and the financing thereof. The Secre- pended or revoked. tary of Agriculture may suspend or revoke any such license, after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the Secretary suspending or servoking any such license shall be final if in accordance with law. Any such person engaged in such handling without a license as required by the Secretary under this section shall be subject to a fine of not more than \$1,000 for each day during which the violation

(4) To require any licensee under this section to furnish such to require licensee reports as to quantities of agricultural commodities or products to keep system of active thereof bought and sold and the prices thereof, and as to trade practices and charges, and to keep such systems of accounts, as may

be necessary for the purpose of part 2 of this title.

(5) No person engaged in the storage in a public warehouse of warehouse any basic agricultural commodity in the current of interstate or outstanding, unlawful. foreign commerce, shall deliver any such commodity upon which a warehouse receipt has been issued and is outstanding, without prior surrender and cancellation of such warehouse receipt. Any person violating any of the provisions of this subsection shall, upon conviction, be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both. The Secretary Revocation for violation. of Agriculture may revoke any license issued under subsection (3) of this section, if he finds, after due notice and opportunity for hearing, that the licensee has violated the provisions of this subsection.

PROCESSING TAX

SEC. 9. (a) To obtain revenue for extraordinary expenses incurred nomic emergencies, reason of the national economic emergency, there shall be levied Post, p. 676. by reason of the national economic emergency, there shall be levied processing taxes as hereinafter provided. When the Secretary of Rent ments. Agriculture determines that rental or benefit payments are to be made with respect to any basic agricultural commodity, he shall proclaim such determination, and a processing tax shall be in effect with respect to such commodity from the beginning of the marketing year therefor next following the date of such proclamation. The processing tax shall be levied, assessed, and collected upon the first domestic processing of the commodity, whether of domestic production or imported, and shall be paid by the processor. The rate of tax shall conform to the requirements of subsection (b). Such rate shall be determined by the Secretary of Agriculture as of the date the tax first takes effect, and the rate so determined shall, at such intervals as the Secretary finds necessary to effectuate the declared policy, be adjusted by him to conform to such requirements. The processing tax shall terminate at the end of the marketing year current at the time the Secretary proclaims that rental or benefit payments are to be discontinued with respect to such commodity. The marketing year for each commodity shall be ascertained and

Secretary's order fi-

Penalty for violation.

Removal, on which

Punishment for.

Revocation of license

Post, p. 672.

Processing tax.

Rental, etc., pay-

Effective date of tax.

The Levy, assessment,

Termination.

Proviso.
Manufacturers' sales tax computed.
Vol. 47, p. 259.

prescribed by regulations of the Secretary of Agriculture: Provided, That upon any article upon which a manufacturers' sales tax is levied under the authority of the Revenue Act of 1932 and which manufacturers' sales tax is computed on the basis of weight, such manufacturers' sales tax shall be computed on the basis of the weight of said finished article less the weight of the processed cotton

contained therein on which a processing tax has been paid.

(b) The processing tax shall be at such rate as equals the differ-Rate to equal difference between current farm price and fair exchange value.

Factors to be considered.

Foot, p. 671.

Rate to equal difference between current as sequence and fair ence between the current average farm price for the commodity and the fair exchange value of the commodity; except that if the Secretary has reason to believe that the tax at such rate will cause such reduction in the current average. reduction in the quantity of the commodity or products thereof domestically consumed as to result in the accumulation of surplus stocks of the commodity or products thereof or in the depression of the farm price of the commodity, then he shall cause an appropriate investigation to be made and afford due notice and opportunity for hearing to interested parties. If thereupon the Secretary finds that such result will occur, then the processing tax shall be at such rate as will prevent such accumulation of surplus stocks and depression Protein content of of the farm price of the commodity. In computing the current average farm price in the case of wheat, premiums paid producers for protein content shall not be taken into account.

(c) For the purposes of part 2 of this title, the fair exchange value of a commodity shall be the price therefor that will give the

To prevent accumu-lation of surplus and de-pression of farm price.

Fair exchange value defined.

How ascertained.

commodity the same purchasing power, with respect to articles farmers buy, as such commodity had during the base period speci-

"Processing" defined Post, pp , 528, 670.

from available statistics of the Department of Agriculture.
(d) As used in part 2 of this title— (1) In case of wheat, rice, and corn, the term "processing" means the milling or other processing (except cleaning and drying) of wheat, rice, or corn for market, including custom milling for toll as well as commercial milling, but shall not include the grinding or

fied in section 2; and the current average farm price and the fair exchange value shall be ascertained by the Secretary of Agriculture

cracking thereof not in the form of flour for feed purposes only.

(2) In case of cotton, the term "processing" means the spinning, manufacturing, or other processing (except ginning) of cotton; and the term "cotton" shall not include cotton linters.

(3) In case of tobacco, the term "processing" means the manu-

facturing or other processing (except drying or converting into insecticides and fertilizers) of tobacco.

(4) In case of hogs, the term "processing" means the slaughter

of hogs for market.

(5) In the case of any other commodity, the term "processing" means any manufacturing or other processing involving a change in the form of the commodity or its preparation for market, as defined by regulations of the Secretary of Agriculture; and in prescribing such regulations the Secretary shall give due weight to the customs of the industry.

Pyramiding tax, profiteering, etc.
Measures to prevent.

Post, pp 528, 675, 1242.

Post, p. 1242.

(e) When any processing tax, or increase or decrease therein, takes effect in respect of a commodity the Secretary of Agriculture, in order to prevent pyramiding of the processing tax and profiteering in the sale of the products derived from the commodity, shall normation to be make public such information as he deems necessary regarding

(1) the relationship between the processing tax and the price paid to producers of the commodity, (2) the effect of the processing tax upon prices to consumers of products of the commodity, (3) the relationship, in previous periods, between prices paid to the producers of the commodity and prices to consumers of the products

thereof, and (4) the situation in foreign countries relating to prices paid to producers of the commodity and prices to consumers of the products thereof.

MISCELLANEOUS

SEC. 10. (a) The Secretary of Agriculture may appoint such ee officers and employees, subject to the provisions of the Classification Classification Appointment, under Act of 1923 and Acts amendatory thereof, and such experts as are 45, p. 1488; Vol. necessary to execute the functions vested in him by this title; and 1003. the Secretary may make such appointments without regard to the VI, p. 31.

civil service laws or regulations: *Provided*, That no salary in excess Appointments outside civil service.

of \$10,000 per annum shall be paid to any officer, employee, or expert of \$10,000 per annum shall be paid to any officer, employee, or expert of the Agricultural Adjustment Administration, which the Secreof the Agricultural Adjustment Administration, which the Agriculture for the administration of the functions vested in him by this title. Title II of the visions not applicable.

Anti- resintain the credit of the United States

Ante, p. 15. Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, to the extent that it provides for the impoundment of appropriations on account of reductions in compensation, shall not operate to require such impoundment under appropriations contained in this Act.

(b) The Secretary of Agriculture is authorized to establish, for ersassociations may act the more effective administration of the functions vested in him by of benefit payments. this title, State and local committees, or associations of producers, and to permit cooperative associations of producers, when in his judgment they are qualified to do so, to act as agents of their members and patrons in connection with the distribution of rental or

benefit payments.

(c) The Secretary of Agriculture is authorized, with the approval any commodity, etc., of the President, to make such regulations with the force and effect may be established. of law as may be necessary to carry out the powers vested in him by this title, including regulations establishing conversion factors etc.

for any commodity and article processed therefrom to determine the amount of tax imposed or refunds to be made with respect thereto. Any violation of any regulation shall be subject to such penalty, not in excess of \$100, as may be provided therein.

(d) The Secretary of the Treasury is authorized to make such ized.

Regulations authorized.

regulations as may be necessary to carry out the powers vested in

him by this title.

(e) The action of any officer, employee, or agent in determining amount of rental, etc., the amount of and in making any rental or benefit payment shall strictions. not be subject to review by any officer of the Government other than the Secretary of Agriculture or Secretary of the Treasury.

(f) The provisions of this title shall be applicable to the United plicable to designated States and its possessions, except the Philippine Islands, the Virgin Post p. 675.

Islands, American Samoa, the Canal Zone, and the island of Guam.

(g) No person shall while active in the Canal Samoa are specified in agriculture.

(g) No person shall, while acting in any official capacity in the cultural commodities. administration of this title, speculate, directly or indirectly, in any agricultural commodity or product thereof, to which this title ap- ing title forbidden. plies, or in contracts relating thereto, or in the stock or membership interests of any association or corporation engaged in handling, processing, or disposing of any such commodity or product. Any person violating this subsection shall upon conviction thereof be fined not more than \$10,000 or imprisoned not more than two years, or both.

(h) For the efficient administration of the provisions of part 2 this title, the provisions, including penalties, of sections 8, 9, vis.c., p. 358. of this title, the provisions, including penalties, of sections 8, 9, and 10 of the Federal Trade Commission Act, approved September 26, 1914, are made applicable to the jurisdiction, powers, and duties of the Secretary in administering the provisions of this title and to

Post, p. 675.

Miscellaneous.

Officers and employ-Salary restriction.

Penalty for violation.

Penalty for.

Hearings.

any person subject to the provisions of this title, whether or not a corporation. Hearings authorized or required under this title shall be conducted by the Secretary of Agriculture or such officer or employee of the Department as he may designate for the purpose. Enforcement, etc., of The Secretary may report any violation of any agreement entered agreement. into under part 2 of this title to the Attorney General of the United States, who shall cause appropriate proceedings to enforce such agreement to be commenced and prosecuted in the proper courts of the United States without delay.

COMMODITIES

"Basic agricultural commodity."

Products included. Post, pp. 528, 670, 1184.

Authority to exclude grade thereof; but the Secretary of Agriculture shall exclude from any commodity.

SEC. 11. As used in this title, the term "pasic agricultural commodity." means wheat, cotton, field corn, hogs, rice, tobacco, and milk and its products, and any regional or market classification, type, or grade thereof; but the Secretary of Agriculture shall exclude from any period, any the operation of the provisions of this title, during any period, any such commodity or classification, type, or grade thereof if he finds, upon investigation at any time and after due notice and opportunity for hearing to interested parties, that the conditions of production, marketing, and consumption are such that during such period this title can not be effectively administered to the end of effectuating the declared policy with respect to such commodity or classification, type, or grade thereof.

APPROPRIATION

Appropriation for administrative expenses,

Post, pp. 528, 605, 678.

Supplemental funds for expansion of markets, etc.

Administrative ex-

Estimate of needs.

Advances.

Services, etc., in the District of Columbia.

Transfer of funds authorized.

SEC. 12. (a) There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000,000 to be available to the Secretary of Agriculture for administrative expenses under this title and for rental and benefit payments made with respect to reduction in acreage or reduction in production for Available until ex market under part 2 of this title. Such sum shall remain available until expended.

(b) In addition to the foregoing, the proceeds derived from all taxes imposed under this title are hereby appropriated to be available to the Secretary of Agriculture for expansion of markets and removal of surplus agricultural products and the following purposes under part 2 of this title: Administrative expenses, rental and benefit payments, and refunds on taxes. The Secretary of Agriculture and the Secretary of the Treasury shall jointly estimate from time to time the amounts, in addition to any money available under subsection (a), currently required for such purposes; and the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, advance to the Secretary of Agriculture the amounts so estimated. The amount of any such advance shall be deducted from such tax proceeds as shall subsequently become available under this subsection.

(c) The administrative expenses provided for under this section shall include, among others, expenditures for personal services and rent in the District of Columbia and elsewhere, for law books and books of reference, for contract stenographic reporting services, and for printing and paper in addition to allotments under the existing law. The Secretary of Agriculture shall transfer to the Treasury Department, and is authorized to transfer to other agencies, out of funds available for administrative expenses under this title, such sums as are required to pay administrative expenses incurred and refunds made by such department or agencies in the administration of this title.

TERMINATION OF ACT

SEC. 13. This title shall cease to be in effect whenever the President finds and proclaims that the national economic emergency in relation to agriculture has been ended; and pending such time the President shall by proclamation terminate with respect to any basic agricultural commodity such provisions of this title as he finds are not requisite to carrying out the declared policy with respect to such commodity. The Secretary of Agriculture shall make such investigations and reports thereon to the President as may be necessary to culture. Investigations, etc., by Secretary of Agriculture shall make such investible Secretary of Agriculture and him in executing this section. aid him in executing this section.

Termination of Act. Post, p. 677.

SEPARABILITY OF PROVISIONS

SEC. 14. If any provision of this title is declared unconstitutional, Separability clause. or the applicability thereof to any person, circumstance, or commodity is held invalid the validity of the remainder of this title and the applicability thereof to other persons, circumstances, or commodities shall not be affected thereby.

SUPPLEMENTARY REVENUE PROVISIONS

EXEMPTIONS AND COMPENSATING TAXES

SEC. 15. (a) If the Secretary of Agriculture finds, upon investigation at any time and after due notice and opportunity for hearing to processing tax. interested parties, that any class of products of any commodity is of such low value compared with the quantity of the commodity used for their manufacture that the imposition of the processing tax would prevent in whole or in large part the use of the commodity in the manufacture of such products and thereby substantially reduce consumption and increase the surplus of the commodity, then the Secretary of Agriculture shall so certify to the Secretary of the Treasury, and the Secretary of the Treasury shall abate or refund any processing tax assessed or paid after the date of such certification with respect to such amount of the commodity as is used in the manufacture of such products.

commodity by or for the producer thereof for consumption by his own family, employees, or household; and the Secretary of Agriculture is authorized by regulations to consumption. culture is authorized, by regulations, to exempt from the payment of the processing tax the processing of commodities by or for the producer thereof for sale by him where, in the judgment of the Secretary, the imposition of a processing tax with respect thereto is unnecessary to effectuate the declared policy.

(c) Any person delivering any product to any organization for Tax refund on product charitable distribution or use shall, if such product or the com-tribution. modity from which processed, is under this title subject to tax, be entitled to a refund of the amount of any tax paid under this title with respect to such product so delivered.

(d) The Secretary of Agriculture shall ascertain from time to secretary to ascertain time whether the payment of the processing tax upon any basic causes disadvantages agricultural commodity is causing or will cause to the processors thereof disadvantages in competition from competing commodities by reason of excessive shifts in consumption between such commodities or products thereof. If the Secretary of Agriculture finds, after investigation and due notice and opportunity for hearing to interested parties, that such disadvantages in competition exist, or will exist, he shall proclaim such finding. The Secretary shall specify Competing commoding this proclamation the competing commodity and the compensating tax rate to be specified. rate of tax on the processing thereof necessary to prevent such

Supplementary revenue provisions.

Post, pp. 675, 1241.

Post, p. 973.

Limitation.

Equalizing tax imposed on imports. Post, p. 676.

Proviso.
Taxes on om U.S. po articles from U.S. possession not included herein.

To be expended for benefit of agriculture.

Post, p. 676

Rate to be altered disadvantages in competition. Thereafter there shall be levied, assessed, and collected upon the first domestic processing of such competing commodity a tax, to be paid by the processor, at the rate specified, until such rate is altered pursuant to a further finding under this section, or the tax or rate thereof on the basic agricultural commodity is altered or terminated. In no case shall the tax imposed upon such competing commodity exceed that imposed per equivalent unit, as determined by the Secretary, upon the basic agricultural commodity.

(e) During any period for which a processing tax is in effect with respect to any commodity there shall be levied, assessed, collected, and paid upon any article processed or manufactured wholly or in chief value from such commodity and imported into the United States or any possession thereof to which this title applies, from any foreign country or from any possession of the United States to which this title does not apply, a compensating tax equal to the amount of the processing tax in effect with respect to domestic processing at the time of importation: Provided, That all taxes collected under this subsection upon divides coming from the collected under this subsection upon articles coming from the possessions of the United States to which this title does not apply shall not be covered into the general fund of the Treasury of the United States but shall be held as a separate fund and paid into the Treasury of the said possessions, respectively, to be used and expended by the governments thereof for the benefit of agriculture. Such tax shall be paid prior to the release of the article from customs custody or control.

FLOOR STOCKS

Floor stocks. Tax adjustments.

Sec. 16. (a) Upon the sale or other disposition of any article processed wholly or in chief value from any commodity with respect to which a processing tax is to be levied, that on the date the tax first takes effect or wholly terminates with respect to the commodity, is held for sale or other disposition (including articles in transit) by any person, there shall be made a tax adjustment as follows:

(1) Whenever the processing tax first takes effect, there shall be

levied, assessed, and collected a tax to be paid by such person equivalent to the amount of the processing tax which would be payable with respect to the commodity from which processed if the processing had occurred on such date.

Corresponding refund, etc., on termination of tax.

Levy, etc., of tax on date processing tax takes effect.

Post, p. 676.

Stocks in retail trade not affected.

Exceptions.

Refund, etc., not applicable. Post, pp. 678, 1241.

(2) Whenever the processing tax is wholly terminated, there shall be refunded to such person a sum (or if it has not been paid, the tax shall be abated) in an amount equivalent to the processing tax with respect to the commodity from which processed.

(b) The tax imposed by subsection (a) shall not apply to the retail stocks of persons engaged in retail trade, held at the date the processing tax first takes effect; but such retail stocks shall not be deemed to include stocks held in a warehouse on such date, or such portion of other stocks held on such date as are not sold or otherwise disposed of within thirty days thereafter. The tax refund or abatement provided in subsection (a) shall not apply to the retail stocks of persons engaged in retail trade, held on the date the processing tax is wholly terminated.

EXPORTATIONS

Export refund. Post, p. 676.

SEC. 17. (a) Upon the exportation to any foreign country (including the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam) of any product with respect to which a tax has been paid under this title, or of any product processed wholly or in chief value from a commodity with respect to which a tax has been paid under this title the exporter thereof shall be entitled at the time of exportation to a refund of the amount of such tax.

Treasury for the faithful observance of the provisions of this title requiring the payment of taxes, any person shall be entitled, without payment of the tax, to process for such exportation any commodity with respect to which a tax is imposed by this title.

Processing for exportation.

Taxfree, under bond.

Post, pp. 676, 678. (b) Upon the giving of bond satisfactory to the Secretary of the with respect to which a tax is imposed by this title, or to hold for such exportation any article processed wholly or in chief value therefrom.

EXISTING CONTRACTS

Existing contracts.

Sec. 18. (a) If (1) any processor, jobber, or wholesaler has, prior Prior contracts for to the date a tax with respect to any commodity is first imposed date. Sec. 18. (a) If (1) any processor, jobber, or wholesaler has, prior under this title, made a bona fide contract of sale for delivery on or after such date, of any article processed wholly or in chief value from such commodity, and if (2) such contract does not permit the addition to the amount to be paid thereunder of the whole of such tax, then (unless the contract prohibits such addition) the vendee shall pay so much of the tax as is not permitted to be added to the contract price.

(b) Taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated and shall be collected and paid to

Payment by vendee.

the United States by the vendor in the same manner as other taxes under this title. In case of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner of Internal Revenue who shall cause collections of

Collection and payment by vendor.

such taxes to be made from the vendee.

Report of failure.

COLLECTION OF TAXES

Sec. 19. (a) The taxes provided in this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury. Such taxes shall be paid into the Treasury of the United States.

Collection of taxes.

(b) All provisions of law, including penalties, applicable with respect to the taxes imposed by section 600 of the Revenue Act of 1926, and the provisions of section 626 of the Revenue Act of 1932, shall, in so far as applicable and not inconsistent with the provisions of this title, be applicable in respect of taxes imposed by this title: Provided, That the Secretary of the Treasury is authorized to permit postponement, for a period not exceeding ninety days, of the payment of taxes covered by any return under this title.

Provisions governing collections. Vol. 44, p. 93; Vol. 47, p. 269.

(c) In order that the payment of taxes under this title may not impose any immediate undue financial burden upon processors or distributors, any processor or distributor subject to such taxes shall be eligible for loans from the Reconstruction Finance Corporation under section 5 of the Reconstruction Finance Corporation Act.

Proviso.
Postponements. Post, p. 1242.

Loans to processors.

Post, p. 677. Vol. 47, p. 6.

TITLE II—AGRICULTURAL CREDITS

AGRICULTURAL CRED-

Emergency Farm Mortgage Act of 1933.

PART 1—AMENDMENTS TO FEDERAL FARM LOAN ACT

ISSUANCE OF BONDS BY LAND BANKS

mortgage Act of 1993.

Federal Farm Loan Act, as amended the reof the following new paragraph:

"Until such time as the Farm Loan Commissioner determines that Federal farm-loan bonds (other than those issued under this paragraph) are readily salable in the open market at a yield not in excess of 4 per centum per annum, but in no case more than two years after

For loans.

Vol. 39, p. 372; U.S.C. p. 306.

Maximum issue; denominations, etc.

Interest guaranteed.

Appropriation thorized.

To become obligation against such bank.

Use, for refinancing outstanding loans.

Final issue.

Borrower may ten-der interest-guaranteed bonds in payment.

Acceptance at par

Farm mortgages.

Vol. 39, p. 372, amended. U.S.C., p. 306, Post, p. 347.

Purchase, reduction, refinancing, etc.

Limitation on price.

Proviso. Mortgagor's rights.

Vol. 39, pp. 365, 367; U.S.C., pp. 302-304.

making new this paragraph takes effect, Federal land banks may issue farm-loan Purchasing outstand. bonds as authorized under this Act, for the purpose of making new loans, or for purchasing mortgages or exchanging bonds for mortgages as provided in paragraph 'Second' of section 13 of this Act. The aggregate amount of the bonds issued under this paragraph shall not exceed \$2,000,000,000, and such bonds shall be issued in such denominations as the Farm Loan Commissioner shall prescribe, shall shall be fully and unconditionally guaranteed as to interest by the United States, and such guaranty shall be expressed on the face thereof. In the event that it shall appear to the Farm Loan Commissioner that the issuing bank or hanks will be wretted. bear interest at a rate not in excess of 4 per centum per annum, and missioner that the issuing bank or banks will be unable to pay upon demand, when due, the interest on any such bonds, the Secretary of the Treasury shall, upon the request of the Commissioner, pay the amount thereof, which is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Upon the payment of such interest by the Secretary of the Treasury the amount so paid shall become an obligation to the United States of the issuing bank or banks and shall bear interest at the same rate as that borne by the bonds upon which the interest has been so paid. After the expiration of one year from the date this paragraph takes effect, if in the opinion of the Farm Loan Commissioner any part of the proceeds of the bonds authorized to be issued under this paragraph is not required for the purpose of making new loans or for purchasing mortgages or exchanging bonds for mortgages as herein provided, such bonds may be issued within the maximum limit herein specified for the purpose of refinancing any outstanding issues of Federal farm-loan bonds; but no such bonds shall be issued after two years from the date this paragraph takes effect for the purpose of such refinancing. Any borrower who obtains a loan from a Federal land bank after the date this paragraph takes effect may, at any time after the expiration of five years from the date such loan was made, tender to such bank on any regular installment date, bonds issued under this paragraph in an amount not to exceed the unpaid principal of his loan, and the bonds so tendered shall be accepted by the bank at par in payment of any part of such unpaid orincipal."

PURCHASE, REDUCTION, AND REFINANCING OF FARM MORTGAGES

SEC. 22. Paragraph "Second" of section 13 of the Federal Farm Loan Act, as amended, is amended by adding at the end thereof the

following new sentence:
"In order to reduce and/or refinance farm mortgages, to invest such funds as may be in its possession in the purchase of first mortgages on farm lands situated within the Federal land-bank district within which it is organized or for which it is acting, or to exchange farm-loan bonds for any duly recorded first mortgages on farm lands executed prior to the date this paragraph, as amended, takes effect, at a price which shall not exceed in each individual case the amount of the unpaid principal of the mortgage on the date of such purchase or exchange, or 50 per centum of the normal value of the land mortgaged and 20 per centum of the value of the permanent insured improvements thereon as determined upon an appraisal made pursuant to this Act, whichever is the smaller: *Provided*, That any mortgagor whose mortgage is acquired by a Federal land bank under this paragraph shall be entitled to have his farm-mortgage indebtedness refinanced in accordance with the provisions of sections 7 and 8 of this Act on the basis of the amount paid by the bank for his mortgage.'

EXTENSION OF LOANS

Loan Act, as amended (U.S.C., title 12, sec. 781), is amended by any borrower which, after investigation by the large and the collection of any borrower's capacity to bank of the cityation. obligation due by any borrower which, after investigation by the bank of the situation of such borrower, is shown to be within his capacity to meet. In the case of any such extension made prior to the expiration of five years from the date this paragraph as amended takes effect, or in the case of any deferment of principal as provided in paragraph 'Twelfth' of section 12 of this Act, it shall be the duty of the Secretary of the Treasury, on behalf of the United tion to paid in surplus States, upon the request of the Federal land bank making the to cover extension, etc. extension, and with the approval of the Farm Loan Commissioner, to subscribe at such periods as the Commissioner shall determine, to the paid-in surplus of such bank an amount equal to the amount of all such extensions and deferments made by the bank during the preceding period. Such subscriptions shall be subject to call, in to call, in whole or in part, by the bank with the approval of the Commissioner upon thirty days' notice. To enable the Secretary of the Treasury to make such subscriptions to the paid-in surplus of the Federal land banks, there is hereby authorized to be appropriated the sum of \$50,000,000, to be immediately available and remain available until expended. Upon payment to any Federal land bank of the amount of any such subscription, such bank shall execute and deliver a receipt therefor to the Secretary of the Treasury in form to be prescribed by the Farm Loan Commissioner. The amount of any subscriptions to the paid-in surplus of any such bank may be repaid in whole or in part at any time in the discretion of the bank and with the approval of the Farm Loan Commissioner, and the Commissioner may at any time require such subscriptions to be repaid in whole or in part if in his opinion the bank has resources available therefor."

Subscriptions subject

Sum authorized for.

Repayment.

REDUCTION OF INTEREST ON LOANS AND DEFERMENT OF PRINCIPAL

Sec. 24. Section 12 of the Federal Farm Loan Act, as amended wol. 39, p. 372, J.S.C., title 12, secs. 771-772), is amended by adding at the end U.S.C. p. 306. (U.S.C., title 12, secs. 771-772), is amended by adding at the end

thereof the following new paragraph:

"Twelfth. Notwithstanding the provisions of paragraph 'Second,' Interest rate on loans the rate of interest on any loans on mortgage made through national associations reduced.

U.S.C., p. 307. farm-loan associations or through agents as provided in section 15, or purchased from joint-stock land banks, by any Federal land bank, outstanding on the date this paragraph takes effect or made through national farm-loan associations within two years after such date, shall not exceed 41/2 per centum per annum for all interest payable on installment dates occurring within a period of five years commencing sixty days after the date this paragraph takes effect; pal suspended if borand no payment of the principal portion of any installment of any rower not in default. such loan shall be required during such five-year period if the borrower shall not be in default with respect to any other condition or covenant of his mortgage. The foregoing provisions shall apply hank loans; to loans made by Federal land banks through branches, except that rate reduced. the rate of interest on such loans for such five-year period shall be 5 per centum in lieu of 4½ per centum. The Secretary of the loss.

Appropriation Post, D. 279. after October 1, 1933, and after the end of each quarter thereafter, such amount as the Farm Loan Commissioner certifies to the Secre-

Loans and deferment of principal.

Appropriation for. Post, p. 279.

Less effected. anv

Post, p. 48.

Final payments.

Appropriation thorized. Post, p. 279.

tary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced, during savings the preceding quarter, by reason of this paragraph; but in any case in which the Farm Loan Commissioner finds that the amount of interest payable by such bank during any quarter has been reduced by reason of the refinancing of bonds under section 32 of this Act, the amount of the reduction so found shall be deducted from the amount payable to such bank under this paragraph. No payments shall be made to a bank with respect to any period after June 30, 1938. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000,000 for the purpose of enabling the Secretary of the Treasury to make payments to Federal land banks which accrue during the fiscal year ending June 30, 1934, and such additional amounts as may be necessary to make payments accruing during subsequent fiscal years.

INCREASE OF AMOUNT OF LOANS TO BORROWERS

Federal land bank mortgage loans.

Maximum limit increased.

Vol. 42, p. 1476.
U.S.C., p. 306.
Restriction.

Sec. 25. Paragraph "Seventh" of section 12 of the receral Falm Loan Act, as amended (U.S.C., title 12, sec. 771) (relating to the limitations as to amount of loans), is amended by striking out "\$25,000" and inserting "\$50,000, but loans to any one borrower shall not exceed \$25,000 unless approved by the Farm Loan

DIRECT LOANS

Federal Farm Loan Act, amended. Vol. 39, p. 367. U.S.C., p. 303.

Direct loans on first mortgages to farmers unable to apply to Federal land bank, etc.

Provisions govern-

Interest rate.

Borrower required to covenant for proportionate stock in such bank.

Use as collateral se-curity, etc.

Cancellation, upon loan repayment.

SEC. 26. Section 7 of the Federal Farm Loan Act, as amended, is amended by striking out the last paragraph and inserting in lieu

thereof the following new paragraphs:

"Whenever it shall appear to the Farm Loan Commissioner that national farm-loan associations have not been formed in any locality in the continental United States, or that the farmers residing in the territory covered by the charter of a national farm-loan association are unable to apply to the Federal land bank of the district for loans on account of the inability of the bank to accept applications from such association, the Farm Loan Commissioner shall authorize said bank to make direct loans to borrowers secured by first mortgages on farm lands situated within any such locality or territory. Except as herein otherwise specifically provided, all provisions of this Act applicable with respect to loans made through national farm-loan associations shall, insofar as practicable, apply with respect to such direct loans, and the Farm Loan Commissioner is authorized to make such rules and regulations as he may deem necessary with respect to such direct loans.

"The rate of interest on such direct loans made at any time by any Federal land bank shall be one-half of 1 per centum per annum in excess of the rate of interest charged to borrowers on mortgage loans made at such time by the bank through national farm-loan

associations.

"Each borrower who obtains a direct loan from a Federal land bank shall subscribe and pay for stock in such bank in the sum of \$5 for each \$100 or fraction thereof borrowed. Such stock shall be held by such Federal land bank as collateral security for the loan of the borrower and shall participate in all dividends. Upon full payment of the loan such stock shall, if still outstanding, be canceled at par, or, in the event that such stock shall have become impaired, at the estimated value thereof as approved by the Farm Loan Commissioner, and the proceeds thereof shall be paid to the borrower.

"Each such borrower may covenant in his mortgage that, when-nant joining a loan association ever there are ten or more borrowers who have obtained from a loan association locally formed Federal land bank direct loans under the provisions of this section aggregating not less than \$20,000, and who reside in a locality which may, in the opinion of the Farm Loan Commissioner, be conveniently covered by the charter of and served by a national farm-loan association, he will unite with such other borrowers to form a national farm-loan association. Such borrowers shall organize the association subject to the requirements and the conditions specified in this section, so far as the same may be applicable, and in accordance with rules and regulations of the Farm Loan Commissioner. As soon as the organization of the association has been approved by the Farm Loan Commissioner, the stock in the Federal land bank held by each of the members of such association shall be canceled at par, and in lieu thereof the bank shall issue in the name of the association an equal amount of stock in said bank, which stock shall be held by said bank as collateral security as provided in this section with respect security. as to other loans through national farm-loan associations. Thereupon there shall be issued to each such member an amount of capital Issue of capital use as collateral. stock in the association equal to the amount which he previously held in said bank, which stock shall be held by said association as collateral security as provided in section 8 of this Act. The board of Liability for paydirectors of said association shall adopt a resolution authorizing and directing its secretary-treasurer on behalf of said association to endorse, and thereby become liable for the payment of, the mortgages taken from its charter members by the Federal land bank. When it shall appear to the satisfaction of the Farm Loan Commis-When it shall appear to the satisfaction of the Farm Loan Commis-sioner that all the foregoing conditions have been complied with, when conditions com-plied with. and upon the granting of the charter by the Farm Loan Commissioner, the interest rate paid by each charter member of such association whose loan is in good standing shall, beginning with his next regular installment date, be reduced to the rate of interest paid by borrowers on new loans made through national farm-loan associations in the same Federal land-bank district at the time the said loan was made to such charter member.

"Charges to be paid by applicants for direct loans from a Federal loans." land bank shall not exceed amounts to be fixed by the Farm Loan Commissioner and shall in no case exceed the charges which may be made to applicants for loans and borrowers through national farm-loan associations under the provisions of sections 11 and 13

of this Act."

LOANS TO RECEIVERS

SEC. 27. Any receiver appointed by the Federal Farm Loan Board on security of receiver's pursuant to section 29 of the Federal Farm Loan Act, as amended, or any receiver appointed by a district court of the United States, vol. 39, p. 381. or any receiver appointed by a district court of the United States, is authorized, for the purpose of paying taxes on farm real estate owned by the bank or securing the mortgages held by it, with the approval of the Farm Loan Commissioner, to borrow from the Reconstruction Finance Corporation and to issue receiver's certificates against the assets of such bank as security for any loan received tuted. from the Corporation under this section, and such certificates shall constitute a prior lien on such assets. The Reconstruction Finance nanc Corporation is authorized to make loans to such receivers for the pur- make such loans. poses of this section.

cove-farm-

Organization, etc.

Exchange of stock.

collateral

Vol. 39, pp. 369, 372.

Reconstruction Fi-

FEDERAL FARM-LOAN BONDS AS SECURITY FOR ADVANCES BY FEDERAL RESERVE BANKS

Banks. Vol. 38, p. 263.

Farm loan bonds as Sec. 28. The eighth paragraph of section 13 of the Federal Reserve by Federal Reserve Act, as amended, is amended by inserting before the period at the end thereof a comma and the following: "or by the deposit or pledge vol. 38, p. 263. Vol. 39, p. 384; Vol. of bonds issued pursuant to the paragraph added to section 32 of the Federal Farm Loan Act, as amended by section 21 of the Emergency Farm Mortgage Act of 1933."

Joint-stock banks. land

PART 2-JOINT-STOCK LAND BANKS

LIMITATIONS ON ISSUE OF BONDS AND LENDING

Limitations on issue of bonds and lending.

SEC. 29. After the date of enactment of this Act, no joint-stock land bank shall issue any tax-exempt bonds or make any farm loans except such as are necessary and incidental to the refinancing of existing loans or bond issues or to the sale of any real estate now owned or hereafter acquired by such bank.

LOANS TO JOINT-STOCK LAND BANKS TO PROVIDE FOR ORDERLY LIQUIDATION

Reconstruction

Interest rate.

Maximum amount.

Collateral security.

Appraisal of.

U.S.C., p. 304.

Loans not to exceed 60 percent of collateral value.

Fees

Sec. 30. (a) The Reconstruction Finance Corporation is authorname Corporation.

Loans to joint-stock ized and directed to make available to the Farm Loan Commissioner, land banks, to provide out of the funds of the Corporation, the sum of \$100,000,000, to be orderly liquidation. used, for a period not exceeding two years from the date of enactment of this Act, for the purpose of making loans to the joint-stock land banks organized and doing business under the Federal Farm Loan Act, as amended, at a rate of interest not to exceed 4 per centum per annum, payable annually. Such loans shall be made upon application therefor by such banks and upon compliance with the requirements of this section. The amount which may be loaned hereunder to any such bank shall not exceed an amount having the same proportion to the said \$100,000,000 as the unpaid principal of the mortgages held by such bank on the date of enactment of this Act bears to the total amount of the unpaid principal of the mortgages held by all the joint-stock land banks on such date.

(b) Any joint-stock land bank applying for a loan under this section shall deliver to the Farm Loan Commissioner as collateral security therefor first mortgages or purchase-money mortgages on farm lands, first mortgages on farm real estate owned by the bank in fee simple, or such other collateral as may be available to said bank, including sales contracts and sheriff's certificates on farm lands. The real estate upon which such collateral is based shall be appraised by appraisers appointed under the Federal Farm Loan Act, as amended, and the borrowing bank shall be entitled to borrow not to exceed 60 per centum of the normal value of such real estate as determined by such appraisal. Fees for such appraisals shall be paid by the applicant banks in such amounts as may be fixed by the Agreement by bank applicant bank, under regulations to be prescribed by the Farm to reduce interest upon all first mortgages to spercent.

Loan Commissioner, (1) shall have agreed to grant to each borrower then indebted to the bank under the toward of the first spercent. Farm Loan Commissioner. No such loan shall be made until the then indebted to the bank under the terms of a first mortgage a reduction to 5 per centum per annum in the rate of interest specified in such mortgage, beginning at his next regular installment date Not to proceed occurring more than sixty days after the date of enactment of this against mortgagor in Act, and (2) shall have agreed to the satisfaction of the Commissional Commission of the sioner that during a period of two years from the date of enactment of this Act the bank will not proceed against the mortgagor on account of default in the payment of interest or principal due under

the terms of its mortgage and will not foreclose its mortgage unless cept when abandon-the property covered by such mortgage is abandoned by the mort-ment, etc. gagor or unless, in the opinion of the Commissioner, such fore-closure is necessary for other reasons. Such loans shall be made to aid the orderly liquidation of any such bank in accordance with such plan as may be approved by the Farm Loan Commissioner. Before any such plan is approved by the Commissioner he shall be satisfied that the plan carries out the purposes of this section and that such part of the proceeds of the loan as is devoted to settlements with bondholders will be used only to effect an equitable settlement with all bondholders. After the plan has been approved by the Commis- ers, etc. sioner he shall require the bank to mail a copy thereof to all its known bondholders and to publish a notice setting forth its provisions in at least three newspapers having general circulation.

Approval necessary.

Notice to bondhold-

LOANS BY THE FARM LOAN COMMISSIONER TO JOINT-STOCK LAND BANKS FOR EMERGENCY PURPOSES

SEC. 31. (a) Out of the funds made available to him under sec- Farm Loan Commistion 30, the Farm Loan Commissioner is authorized to make loans, to joint stock land banks, for in an aggregate amount not exceeding \$25,000,000, at a rate of interest certain emergencies. not to exceed 4 per centum per annum, to any joint-stock land bank for the purpose of securing the postponement for two years from the date of the enactment of this Act of the foreclosure of first mortgages held by such banks on account of (1) default in the payment on account of default in interest or fault in interest or principal delinquent taxes, excluding interest and penalties, which Delinquent taxes, etc. (2) unpaid delinquent taxes, excluding interest and penalties, which may be secured by the lien of said mortgage: Provided, That during the period of postponement of foreclosure such bank shall charge period. the mortgagor interest at a rate not exceeding 4 per centum per annum on the aggregate amount of such delinquent taxes and defaulted interest and principal with respect to which loans are made pursuant to this section. The amount loaned to any joint-stock sary. land bank under this section shall be made without reappraisal:

Provided, That the amount loaned with respect to any mortgage on Maximum loan on account of unpaid principal shall not exceed 5 per centum of the account of unpaid principal of such mortgage, and the total amount loaned to any such land bank with respect to any mortgage shall not exceed 25 per centum of the total unpaid principal of such mortgage.

(b) No such loan shall be made with respect to any mortgage Conditions for making loan.

Commissioner is satisfied that the mortgagor, Default of mortgagor. unless the Farm Loan Commissioner is satisfied that the mortgagor, after exercising ordinary diligence to pay his accrued delinquent taxes, and meet accrued interest and principal payments, has defaulted thereon; and unless the bank shall have agreed to the satisfaction of the Farm Loan Commissioner that during such two-year close. period the bank will not foreclose such mortgage unless the property covered thereby is abandoned by the mortgagor or unless in the opinion of the Farm Loan Commissioner such foreclosure is necessary for other reasons.

(c) Each such loan shall be secured by an assignment to the Farm Loan Commissioner of the lien of the taxes and/or of the bank's mortgage with respect to which the loan is made: Provided, That Provise.

Status of assigned the part of each such lien so assigned representing the lien. principal due and unpaid in any such mortgage which has been assigned to the farm loan registrar shall be subordinate to the existing lien of the bank for the balance of the indebtedness then or thereafter to become due under the terms of such mortgage; but the Farm Loan Commissioner may require the bank to furnish addi- may be required tional collateral as security for such loan, if such collateral is available to the bank.

Provisos

Reappraisal unneces-

Bank will not fore-

Exceptions.

Additional collateral

Rules, etc., author-

(d) The Farm Loan Commissioner is authorized to make such rules and regulations as may be necessary to carry out the purposes of this section and to make the relief contemplated immediately available.

Loans to farmers by Farm Loan Commissioner.

Part 3—Loans to Farmers by Farm Loan Commissioner

REDUCTION OF DEBTS AND REDEMPTION OF FORECLOSED FARMS

Sums available for direct loans.

Security.

U S C., p. 304.

Post, p. 347. repayment.

Proviso.Payments on principal may be suspended first 3 years, if not in default.

Agreement with holder of prior mortgage.

Purposes set forth. Refinancing indebt-

Charges to borrowers. Vol. 39, p. 372

"Farmer" defined.

Sec. 32. The Reconstruction Finance Corporation is authorized Post, pp. 345, 346, and directed to allocate and make available to the Farm Loan Commissioner the sum of \$200,000,000, or so much thereof as may be necessary, to be used for the purpose of making loans as hereinafter provided to any farmer, secured by a first or second mortgage upon the whole or any part of the farm property, real or personal, including crops, of the farmer. The amount of the mortgage given by any farmer, together with all prior mortgages or other evidences of indebtedness secured by such farm property of the farmer, shall not exceed 75 per centum of the normal value thereof, as determined upon an appraisal made pursuant to the Federal Farm Loan Act, as amended; nor shall a loan in excess of \$5,000, be made to any one Amortization plan of farmer. Every mortgage made under this section shall contain an agreement providing for the repayment of the loan on an amortization plan by means of a fixed number of annual or semiannual installments, sufficient to cover (1) interest on unpaid principal at a rate not to exceed 5 per centum per annum and (2) such payments equal in amount to be applied on principal as will extinguish the debt within an agreed period of not more than ten years or, in the case of a first or second mortgage secured wholly by real property and made for the purpose of reducing and refinancing an existing mortgage within an agreed period no greater than that for which loans may be made under the Federal Farm Loan Act, as amended, from the date the first payment on principal is due: Provided, That during the first three years the loan is in effect payments of interest only may be required if the borrower shall not be in default with respect to any other condition or covenant of his mortgage. No loan shall be made under this section unless the holder of any prior mortgage or instrument of indebtedness secured by such farm property arranges to the satisfaction of the Farm Loan Commissioner to limit his right to proceed against the farmer and such farm property for default in payment of principal. Loans under this section shall be made for the following purposes only: (1) Refinancial of the satisfaction with the section shall be made for the following purposes only: (1) Refinancial of the satisfaction with the satisfaction of the satisfaction of the following purposes only: (1) Refinancial of the satisfaction of the satisfaction of the Farm Loan Commissioner to limit his right to proceed against the farmer and such farms property for default in payment of principal of the satisfaction of the Farm Loan Commissioner to limit his right to proceed against the farmer and such farms property for default in payment of principal. Vol. 47, p. 1467.

No. 47, p. 1467.

Providing working capital.

Redemption or repurchase of property.

Post, p. 929.

Red, p. 929.

Red, p. 1467.

Redemption or repurchase of farm operations, and (3) enabling any property.

Post, p. 929.

Red, p. 929.

Red, p. 1467.

Red, p. ing, either in connection with proceedings under chapter VIII July 1, 1931, and the date of the enactment of this Act, or which is foreclosed after the enactment of this Act. The provisions of paragraph "Ninth" of section 13 of the Federal Farm Loan Act, as amended (relating to charges to applicants for loans and borrowers from the Federal land banks), shall, so far as practicable, apply to loans made under this section. As used in this section, the term "farmer" means any individual who is bona fide engaged in farming operations, either personally or through an agent or tenant, or the principal part of whose income is derived from farming operations, and includes a personal representative of a deceased farmer.

REGULATIONS

Regulations.

SEC. 33. The Farm Loan Commissioner is authorized to make Loan Commissioner to such rules and regulations, and to appoint, employ, and fix the commissioner to make; to fix compensation of such officers, employees, attorneys, and agents as may be necessary to carry out the purposes of this title and to make the relief contemplated by this title immediately available, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States: Provided, That no salary or compensation in excess of \$10,000 shall be paid to any person employed under the terms of the foregoing section.

Proviso. Salary restriction.

FACILITIES OF FEDERAL LAND BANKS AND NATIONAL FARM LOAN ASSOCIA-TIONS MADE AVAILABLE

SEC. 34. The Federal land banks and the national farm loan Facilities made available. associations are authorized, upon request of the Farm Loan Commissioner, to make available to him their services and facilities to aid in administering the provisions of this title.

PENALTIES

Sec. 35. Any person who shall knowingly make any material false representation for the purpose of obtaining any loan under part 3 of this title, or in assisting in obtaining any such loan, shall, upon conviction thereof, be fined not more than \$1,000, or imprisoned not more than six months, or both.

Penalties.

Part 4—Refinancing of Agricultural Improvement District

Indebtedness for the Benefit of Farmers

Loans by Reconstruction Finance Corporation is authorized, and empowered to make loans as hereinafter provided, in an aggregate amount not exceeding \$50,000,000; to drainage districts, levee districts levee and drainage districts irrigation districts and similar [229]. tricts, levee and drainage districts, irrigation districts, and similar 1269.

districts, duly organized under the laws of any State, and to political subdivisions of States, which prior to the date of enactment of this Act, ricultural projects. have completed projects devoted chiefly to the improvement of lands for agricultural purposes. Such loans shall be made for the purpose of enabling any such district or political subdivision (hereafter referred to as the "borrower") to reduce and refinance its outstanding indebtedness incurred in connection with any such project, and shall be subject to the same terms and conditions as loans made under section 5 of the Reconstruction Finance Corporation Act, as amended; except that (1) the term of any such loan shall not exceed forty years; (2) Exception Term limitation. Security. Corporation by the borrower which are a lien on the real property within the project or on the amount of the assessments levied on such property by the borrower pursuant to State law, or by such other collateral as may be acceptable to the Corporation; (3) the without Corporation's borrower shall agree not to issue during the term of the loan any consent.

bonds so secured except with the consent of the Corporation; (4) Payment of excess the borrower shall pay to the Corporation, until all bonds of the overoperation, interest, borrower held by the Corporation are retired, an amount equal to bonds are retired. the amount by which the assessments against the real property within the project collected by the borrower exceed the costs of operation

Refinancing of agricultural improvement district indebtedness.

State subdivision ag-

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and maintenance of the project and interest on its outstanding obli-

gations; and (5) the borrower shall agree, to the satisfaction of the Corporation, to reduce the outstanding indebtedness to the borrower of the landowners within such project by an amount corresponding to that by which the indebtedness of the borrower is reduced by

reason of the operation of this section, to distribute the amount of such reduction among such landowners on a pro rata basis, to cancel and retire its outstanding bonds in an aggregate amount equal to the amount of the reduction so distributed, and to permit the Cor-

poration, in the case of the payment of the bonds of the borrower

or the liquidation of such project, to participate in such payment or in the proceeds of such liquidation on the basis of the face amount of the bonds so retired plus the face amount of the bonds held by

under this section until the Reconstruction Finance Corporation (A) has caused an appraisal to be made of the property securing and/or underlying the outstanding bonds of the applicant, (B) has determined that the project of the applicant is economically sound, and (C) has been satisfied that an agreement has been entered into

between the applicant and the holders of its outstanding bonds under which the applicant will be able to purchase or refund such bonds

Corresponding reduction of indebtedness to borrower.

Post, p. 1269.

Pro rata basis.

Cancellation to equal reduction so distributed.

Corporation to participate.

Requirements to be the Corporation as security for the loan. No loan shall be made met before loan made.

Post, p 1269.

D. 388.

Maximum amount.

Repayment.

ture. Interest rate.

Increase of lending power of Corporation.

PART 5—INCREASE OF LENDING POWER OF RECONSTRUCTION FINANCE Corporation

Vol. 47, p. 9. Post, p. 319.

Sec. 38. In order to provide funds to carry out the purposes of this title, the amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time, is hereby increased by \$300,000,000.

Farm Loan Commis- Part 6—Functions of Farm Loan Commissioner Under Executive ORDERS

Functions of, under Executive orders.

Vol. 47, p. 413.

Sec. 39. If and when any executive order heretofore transmitted to the Congress pursuant to title IV of part II of the Legislative Appropriation Act of 1933, as amended, shall become effective, all functions, powers, authority, and duties conferred upon or vested in the Farm Loan Commissioner by this title shall be held and exer-

at a price determined by the Corporation to be reasonable after taking into consideration the average market price of such bonds over the six months' period ending March 1, 1933, and under which a substantial reduction will be brought about in the amount of the outstanding indebtedness of the applicant. Advances to reclamation fund authorized. SEC. 37. The Reconstruction Finance Corporation, upon request vol. 47, p. 5; vol. 32, of the Secretary of the Interior, is authorized and empowered to Sec. 37. The Reconstruction Finance Corporation, upon request advance from funds made available by section 2 of the Act of January 22, 1932 (47 Stat.L. 5), to the reclamation fund created by the Act of June 17, 1902 (32 Stat.L. 388), such sum or sums as the Secretary of the Interior may deem necessary, not exceeding

\$5,000,000, for the completion of projects or divisions of projects now under construction, or projects approved and authorized. Funds so advanced shall be repaid out of any receipts and accretions accru-Manner of expending to the reclamation fund within such time as may be fixed by the Reconstruction Finance Corporation, not exceeding five years from the date of advance, with interest at the rate of 4 per centum per annum. Sums so advanced may be expended in the same way

as other moneys in the reclamation fund.

cised by him subject to all the terms and conditions in any such Executive order the same as if such functions, powers, authority, and duties were specifically named in such Executive order or orders.

Part 7—Miscellaneous

PERFECTING ORGANIZATION FARM CREDIT ADMINISTRATION

SEC. 40. The Governor of the Farm Credit Administration is Authority of Govauthorized, in carrying out the powers and duties now or hereafter organization, etc. vested in him or the Farm Credit Administration by law or under any Executive order made under title IV of part II of the Legislative Appropriation Act of 1933, as amended, to establish, and to fix the powers and duties of, such divisions, agencies, corporations, and instrumentalities as he may deem necessary to the efficient functioning of the Farm Credit Administration and the successful execution of the powers and duties so vested in the Governor and the Farm Credit Administration. This section shall not be construed to restrict the authority of President. authority of the President under title IV of such Act, as amended:

Provided, That no salary or compensation shall be paid to any of*Salary limitation.* ficer, agent, or other person employed under this section in excess of \$10,000 per annum.

LOANS TO FRUIT GROWERS

Sec. 41. That in making loans to owners of groves and orchards, at fair value. including citrus-fruit groves and other fruit groves and orchards, the Federal land banks, the farm land banks, and all Government agencies making loans upon such character of property may, in appraising the property offered as security, give a reasonable and fair valuation to the fruit trees located and growing upon said property and constituting a substantial part of its value.

PART 8—SHORT TITLE

Sec. 42. This title may be cited as the "Emergency Farm Mortgage Act of 1933." $\,$

TITLE III—FINANCING—AND EXERCISING POWER CONFERRED BY money, etc Section 8 of Article I of the Constitution: To Coin Money AND TO REGULATE THE VALUE THEREOF

SEC. 43. Whenever the President finds, upon investigation, that ity of the President.

(1) the foreign commerce of the United States is adversely affected by reason of the depreciation in the value of the currency of any merce adversely affected other government or governments in relation to the present standard depreciation.

Post, p. 343. When U.S. commerce adversely affected by foreign currency of the present standard depreciation.

Fixing parity of currency of any merce adversely affected by foreign currency of the present standard depreciation. value of gold, or (2) action under this section is necessary in order to regulate and maintain the parity of currency issues of the United Economic emergency requires an expansion of credit, or (4) an expansion of credit is necessary to secure by international agreement, a stabilization at proper levels of the currencies of various agreement a stabilization at proper levels of the currencies of various governments, the President is authorized, in his discretion-

(a) To direct the Secretary of the Treasury to enter into agreements with the several Federal Reserve banks and with the Federal open market operaReserve Board whereby the Federal Reserve Board will, and it is tions in U.S. obligahereby authorized to, notwithstanding any provisions of law or

Post, p. 168. hereby authorized to, notwithstanding any provisions of law or rules and regulations to the contrary, permit such reserve banks to agree that they will, (1) conduct, pursuant to existing law, throughout specified periods, open market operations in obligations of the United States Government or corporations in which the

Miscellaneous.

Farm Credit Admin-

Vol. 47, p. 413.

Loans to fruit grow-

Short title.

Financing: Coining

holdings.

Suspension of reserve requirements not to impose graduated tax on any deficiency in reserves. Vol. 38, p. 262. U.S C, p. 276.

Interest or discount

Measures to prevent undue credit expan-

If unable to secure assent of Federal Re-serve banks to author-ized agreements, etc.

Authority of President.

United States notes may be issued.

Vol. 12, p. 345.

Size, color, denominations, etc.

Purposes of issue de-

Proviso.
Retirement of bonds so purchased.

Issues, amounts, etc.

Appropriation for annual cancellation.

Notes, etc., to be legal tender.

Post, p. 113.

President, by procla-mation, may fix weight of gold dollar. Silver dollar. Post, p. 344.

Purchase directly and United States is the majority stockholder, and (2) purchase directly additional to present and hold in portfolio for an agreed period or periods of time Treasury bills or other obligations of the United States Government in an aggregate sum of \$3,000,000,000 in addition to those they may then hold, unless prior to the termination of such period or periods the Secretary shall consent to their sale. No suspension of reserve requirements of the Federal Reserve banks, under the terms of section 11(c) of the Federal Reserve Act, necessitated by reason of operations under this section, shall require the imposition of the graduated tax upon any deficiency in reserves as provided in said section 11(c). Nor shall it require any automatic increase in the rates of interest or discount charged by any Federal Reserve bank, as otherwise specified in that section. The Federal Reserve Board, with the approval of the Secretary of the Treasury, may require the Federal Reserve banks to take such action as may be necessary, in the judgment of the Board and of the Secretary of the Treasury, to prevent undue credit expansion.

(b) If the Secretary, when directed by the President, is unable to secure the assent of the several Federal Reserve banks and the Federal Reserve Board to the agreements authorized in this section, or if operations under the above provisions prove to be inadequate to meet the purposes of this section, or if for any other reason additional measures are required in the judgment of the President to meet such purposes, then the President is authorized-

(1) To direct the Secretary of the Treasury to cause to be issued in such amount or amounts as he may from time to time order, United States notes, as provided in the Act entitled "An Act to authorize the issue of United States notes and for the redemption of funding thereof and for funding the floating debt of the United States", approved February 25, 1862, and Acts supplementary thereto and amendatory thereof, in the same size and of similar color to the Federal Reserve notes heretofore issued and in denominations of \$1, \$5, \$10, \$20, \$50, \$100, \$500, \$1,000, and \$10,000; but notes issued under this subsection shall be issued only for the purpose of meeting maturing Federal obligations to repay sums borrowed by the United States and for purchasing United States bonds and other interest-bearing obligations of the United States: Provided, That when any such notes are used for such purpose the bond or other obligation so acquired or taken up shall be retired and can-Such notes shall be issued at such times and in such amounts celed. as the President may approve but the aggregate amount of such notes outstanding at any time shall not exceed \$3,000,000,000. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, an amount sufficient to enable the Secretary of the Treasury to retire and cancel 4 per centum annually of such outstanding notes, and the Secretary of the Treasury is hereby directed to retire and cancel annually 4 per centum of such outstanding notes. Such notes and all other coins and currencies heretofore or hereafter coined or issued by or under the authority of the United States shall be legal tender for all debts public and private.

(2) By proclamation to fix the weight of the gold dollar in grains nine tenths fine and also to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce Unlimited coinage of against the adverse effect of depreciated foreign currencies, and at fixed ratio.

to provide for the unlimited coinage of such gold and silver at to provide for the unlimited coinage of such gold and silver at the ratio so fixed, or in case the Government of the United States

enters into an agreement with any government or governments Weight of gold dollar under the terms of which the ratio between the value of gold and agreement. other currency issued by the United States and by any such government or governments is established, the President may fix the weight of the gold dollar in accordance with the ratio so agreed upon, and such gold dollar, the weight of which is so fixed, shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity with this standard and it shall be the duty of the Secretary of the Treasury to maintain such gold dollar.

Post, p. 342. parity, but in no event shall the weight of the gold dollar be fixed so as to reduce its present weight by more than 50 per centum.

President, is hereby authorized to make and promulgate rules and promulgated.

Ante. D. 51 regulations covering any action taken or to be taken by the Presi-

dent under subsection (a) or (b) of section 43.

SEC. 45. (a) The President is authorized, for a period of six Acceptance of silver months from the date of the passage of this Act, to accept silver in indebtedness of foreign payment of the whole or any part of the principal or interest now governments. due, or to become due within six months after such date, from any foreign government or governments on account of any indebtedness to the United States, such silver to be accepted at not to exceed the price of 50 cents an ounce in United States currency. The aggregate value of the silver accepted under this section shall not exceed \$200,000,000.

(b) The silver bullion accepted and received under the provisions subject to law requirements of existing law ments. and the regulations of the mint service governing the methods of determining the amount of pure silver contained, and the amount of the charges or deductions, if any, to be made; but such silver bullion shall not be counted as part of the silver bullion authorized or required to be purchased and coined under the provisions of

existing law.

(c) The silver accepted and received under the provisions of this for uses designated. section shall be deposited in the Treasury of the United States, to

be held, used, and disposed of as in this section provided.

(d) The Secretary of the Treasury shall cause silver certificates issue of.

Post, p. 342. to be issued in such denominations as he deems advisable to the total number of dollars for which such silver was accepted in payment of debts. Such silver certificates shall be used by the Treasurer of the United States in payment of any obligations of the United

(e) The silver so accepted and received under this section shall be coined into standard silver dollars and subsidiary coins sufficient, in the opinion of the Secretary of the Treasury, to meet any demands for redemption of such silver certificates issued under the provisions of this section, and such coins shall be retained in the Treasury for and received under this section, except so much thereof as is coined certificates.

Purpose of aiding in maintaining parity of certificates.

Purpose of aiding in maintaining parity of certificates. for the sole purpose of aiding in maintaining the parity of such certificates as provided in existing law. Any such certificates or reissued certificates, when presented at the Treasury, shall be redeemed etc. Certificates redeemed able in silver dollars, in standard silver dollars, or in subsidiary silver certificates or reisable in silver dollars, and a standard silver dollars, or in subsidiary silver certificates or reisable in silver dollars, and a silver dollars, or in subsidiary silver certificates or reisable in silver dollars, and a silver dollars. of the holder of the certificates: Provided, That, in the redemption of such silver certificates issued under this section, not to exceed one third of the coin required for such redemption may in the judgment of the Secretary of the Treasury be made in subsidiary coins, the balance to be made in standard silver dollars.

To be standard unit of value.

Parity maintenance. Minimum weight of

Limitation on aggre-

certificates.

Coinage.

Redemption.

Proviso. Subsidiary coins.

Silver may reissue. certificates

Cancellation, etc., of mutilated certificates.

(f) When any silver certificates issued under the provisions of this section are redeemed or received into the Treasury from any source whatsoever, and belong to the United States, they shall not be retired, canceled, or destroyed, but shall be reissued and paid out again and kept in circulation; but nothing herein shall prevent the cancelation and destruction of mutilated certificates and the issue of other certificates of like denomination in their stead, as provided by law

Rules to be prescribed.

(g) The Secretary of the Treasury is authorized to make rules and regulations for carrying out the provisions of this section.

Federal Reserve Act, amendment. Vol. 38, p. 271. U.S.C., p. 287.

SEC. 46. Section 19 of the Federal Reserve Act, as amended, is amended by inserting immediately after paragraph (c) thereof the following new paragraph:

Emergency due to credit expansion.

Federal Reserve Board may so declare, and modify reserve five of its members and with the approval of the President, may balances, etc.

Whotwithstanding the foregoing provisions of this section, the federal Reserve Board, upon the affirmative vote of not less than declare that an emergency exists by reason of credit expansion and declare that an emergency exists by reason of credit expansion, and may by regulation during such emergency increase or decrease from time to time, in its discretion, the reserve balances required to be maintained against either demand or time deposits."

Approved, May 12, 1933.

[CHAPTER 26.]

AN ACT

May 12, 1933, [H.R. 48.] [Public, No. 11.]

To extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kansas.

Missouri River. Time extended for

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for bridging, at Kansas completing the construction of a bridge across the Missouri Across City, Kans.

Vol. 45, pp. 704, 1530; or near Kansas City, Kansas, authorized to be built by the Interstate Vol. 46, p. 835, amended.

Bridge Company, its successors and assigns, by an Act of Congress Bridge Company, its successors and assigns, by an Act of Congress approved May 22, 1928, heretofore extended by Acts of Congress approved March 2, 1929, and June 30, 1930, is hereby further extended two years from May 22, 1933. SEC. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, May 12, 1933.

[CHAPTER 27.]

AN ACT

May 12, 1933. [H.R. 1596.] [Public, No. 12.]

To extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, South Carolina.

46, amended.

479, Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, South Carolina, authorized to be built by the county of Georgetown, South Carolina, by an Act of Congress approved May 29, 1930, are hereby extended one and three years, respectively, from May 29, 1933.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 12, 1933.

[CHAPTER 28.]

AN ACT

To extend the time for commencing and completing the construction of a bridge across the Waccamaw River near Conway, South Carolina.

May 12, 1933. [H.R. 4127.] [Public, No 13.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for Commencing and completing the construction of a bridge authorized bridging, at Conway, United States of America in Congress assembled, That the times for by Act of Congress approved February 10, 1932, to be built by the S.C. Vol. 47, p. 42, amend-State Highway Commission of South Carolina across the Waccamaw ed. River near Conway are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby Amendment. expressly reserved.

Approved, May 12, 1933.

[CHAPTER 29.]

AN ACT

Granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River, at Struthers, Mahoning County, Ohio.

May 12, 1933. [H.R. 4491.] [Public, No. 14]

Be it enacted by the Senate and House of Representatives of the commencing and completing the construction of an overhead viaduct bridging, at Struthers, authorized by Act of Congress approved February 10, 1932, to be built by the Board of County Commissioners of Mahoning County, ed.

Mahoning River. Time extended for bridging, at Struthers, ohio. Vol. 47, p. 43, amend-ohio, across the Mahoning River. at Struthers Mahoning County. Ohio, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 12, 1933.

[CHAPTER 30.]

AN ACT

To provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

May 12, 1933. [H.R. 4606.] [Public, No. 15.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that the present economic depression has created a serious emergency, due to widespread unemployment and increasing inadequacy of State and local relief funds, resulting in the existing or threatened deprivation of a considerable number of families and individuals of the necessities of life, and making it imperative that the Federal Government cooperate more effectively with the several distress, etc., in relieving distress, etc. States and Territories and the District of Columbia in furnishing

Federal Emergency Relief Act of 1933. Post, pp. 351, 1055.

relief to their needy and distressed people.

Sec. 2. (a) The Reconstruction Finance Corporation is authorized and directed to make available out of the funds of the Corporation of make available out of the funds authorized under of make available out of the funds authorized under of make available. To be additional to title I of the Emergency Relief and Construction Act of 1932, for previous authorization. expenditure under the provisions of this Act upon continuation. the Federal Emergency Relief Administrator provided for in section 3.

Increase of Corporation obligations, authorized. Vol. 47, p. 9, amend-

Proviso. Issue discretionary.

Approval of rehef applications by Corporation to cease.
Vol. 47, p. 709.

Federal Emergency Relief Administration created.

powers, salary, etc.

Duration of office.

Experts and other employees.

Civil service

Salary restriction.

Expenses.

Control of State ad-

Investigations, etc.

(b) The amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time is increased by \$500,000,000: Provided, That no such additional notes, debentures, bonds, or other such obligations authorized by this subsection shall be issued except at such times and in such amounts as the President shall approve.

(c) After the expiration of ten days after the date upon which the Federal Emergency Relief Administrator has qualified and has Finance Corporation under the provisions of title I of the Emerhave access to Corporation files.

Finance Corporation under the provisions of title I of the Emerhave access to Corpogency Relief and Construction Act of 1932, and the Federal Emergency Relief Administrator shall have access to 11 Cl. taken office, no application shall be approved by the Reconstruction gency Relief Administrator shall have access to all files and records of the Reconstruction Finance Corporation relating to the administration of funds under title I of such Act. At the expiration of such ten-day period, the unexpended and unobligated balance of the funds authorized under title I of such Act shall be available for the purposes of this Act.

Sec. 3. (a) There is hereby created a Federal Emergency Relief Administration, all the powers of which shall be exercised by a Fed-Administrator; eral Emergency Relief Administrator (referred to in this Act as the "Administrator") to be appointed by the President, by and with the Travel and subsist- advice and consent of the Senate. The Administrator shall receive a salary to be fixed by the President at not to exceed \$10,000, and necessary traveling and subsistence expenses within the limitations prescribed by law for civilian employees in the executive branch of the Government. The Federal Emergency Relief Administration and the office of Federal Emergency Relief Administrator shall cease to exist upon the expiration of two years after the date of enactment Unexpended balance of this Act, and the unexpended balance on such date of any funds made available under the provisions of this Act shall be disposed of as the Congress may by law provide.

(b) The Administrator may appoint and fix the compensation of such experts and their appointment may be made and compensation fixed without regard to the civil service laws, or the Classification Classification Acts not to apply.

U.S.C., p. 65; Supp. VI, p. 31.

VI, p. 31.

On the civil service and fixed without regard to the civil service laws, or the classification of the companion of the civil service and the companion of the companion of the companion of the companion of the civil service and the companion of the civil service laws, or the classification of the civil service laws, or the civil employees as are necessary to carry out the provisions of this Act, but such compensation shall not exceed in any case the sum of \$8,000; and may make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere and for printing and binding), not to exceed \$350,000, as are necessary to carry out the provisions of this Act, to be paid by the Reconstruction Finance Corporation out of funds made available by this Act upon presentation of vouchers approved by the Administrator or by an officer of the Administration designated by him for that purpose. The Administrator may, under rules and regulations prescribed by the President, assume control of the administration in any State or States where, in his judgment, more effective and efficient cooperation between the State and Federal authorities may thereby be secured in carrying out the purposes of this Act.

(c) In executing any of the provisions of this Act, the Administrator, and any person duly authorized or designated by him, may conduct any investigation pertinent or material to the furtherance of the purposes of this Act and, at the request of the President, shall make such further investigations and studies as the President may deem necessary in dealing with problems of unemployment relief.

(d) The Administrator shall print monthly, and shall submit to Monthly reports to be submitted. the President and to the Senate and the House of Representatives (or to the Secretary of the Senate and the Clerk of the House of Representatives, if those bodies are not in session), a report of his documents. as public activities and expenditures under this Act. Such reports shall, when

submitted, be printed as public documents.

SEC. 4. (a) Out of the funds of the Reconstruction Finance Corporation made available by this Act, the Administrator is authorized relief work of States. to make grants to the several States to aid in meeting the costs of furnishing relief and work relief and in relieving the hardship and suffering caused by unemployment in the form of money, service, materials, and/or commodities to provide the necessities of life to persons in need as a result of the present emergency, and/or to their dependents, whether resident, transient, or homeless.

(b) Of the amounts made available by this Act not to exceed Proportion of grant to \$250,000,000 shall be granted to the several States applying therefor, expenditure by State. in the following manner: Each State shall be entitled to receive grants equal to one third of the amount expended by such State, including the civil subdivisions thereof, out of public moneys from all sources for the purposes set forth in subsection (a) of this section; and such grants shall be made quarterly, beginning with the terly. second quarter in the calendar year 1933, and shall be made during any quarter upon the basis of such expenditures certified by the

States to have been made during the preceding quarter.

ates to have been made during the preceding quarter.

(c) The balance of the amounts made available by this Act, except ary use when combined a mount required for administrative expenditures under section 3 amounts inadequate. the amount required for administrative expenditures under section 3, shall be used for grants to be made whenever, from an application presented by a State, the Administrator finds that the combined moneys which can be made available within the State from all sources, supplemented by any moneys, available under subsection (b) of this section, will fall below the estimated needs within the State for the purposes specified in subsection (a) of this section: *Provided*, That the Administrator may certify out of the funds Provided, That the Administrator may certify out of the funds Relief of persons hav-made available by this subsection additional grants to States apply- in a State, etc. ing therefor to aid needy persons who have no legal settlement in any one State or community, and to aid in assisting cooperative and self-help associations for the barter of goods and services.

(d) After October 1, 1933, notwithstanding the provisions of state grants. subsection (b), the unexpended balance of the amounts available for the purposes of subsection (b). for the purposes of subsection (b) may, in the discretion of the Administrator and with the approval of the President, be available

for grants under subsection (c).

(e) The decision of the Administrator as to the purpose of any tratorfinal.

expenditure shall be final.

(f) The amount available to any one State under subsections (b) and (c) of this section shall not exceed 15 per centum of the total

amount made available by such subsections.

SEC. 5. Any State desiring to obtain funds under this Act shall make application for trough its Governor make application therefor from time to time to through its Governor make application therefor from time to time to the Administrator. Each application so made shall present in the manner requested by the Administrator information showing (1) shown. the amounts necessary to meet relief needs in the State during the period covered by such application and the amounts available from public or private sources within the State, its political subdivisions, public or private sources within the State, its political subdivisions, Administrative pro-and private agencies, to meet the relief needs of the State, (2) the vision.

Standards of relief, provision made to assure adequate administrative supervision, (3) use, etc. the provision made for suitable standards of relief, and (4) the purposes for which the funds requested will be used.

Limitation.

Necessity to be

Disbursements.

Monthly report reanired.

Terms defined.

Title.

SEC. 6. The Administrator upon approving a grant to any State shall so certify to the Reconstruction Finance Corporation which shall, except upon revocation of a certificate by the Administrator, make payments without delay to the State in such amounts and at such times as may be prescribed in the certificate. The Governor of each State receiving grants under this Act shall file monthly with the Administrator, and in the form required by him, a report of the disbursements made under such grants.

SEC. 7. As used in the foregoing provisions of this Act, the term "State" shall include the District of Columbia, Alaska, Hawaii, the Virgin Islands, and Puerto Rico; and the term "Governor" shall include the Commissioners of the District of Columbia.

Sec. 8. This Act may be cited as the "Federal Emergency Relief

Act of 1933."

Approved, May 12, 1933

[CHAPTER 31.]

AN ACT

May 18, 1933. [S. 1582.] [Public, No. 16.]

terial defects of form.

assistants attorney, etc. To amend section 1025 of the Revised Statutes of the United States.

Be it enacted by the Senate and House of Representatives of the Grand juries.
R.S., sec. 1025, p. 190, amended.
U.S.C., p. 505.

United States of America in Congress assembled, That section 1025 of the Revised Statutes of the United States be, and the same is hereby amended so as to read as follows:

hereby, amended so as to read as follows: "Sec. 1025. No indictment found and presented by a grand jury in any district or other court of the United States shall be deemed insufficient, nor shall the trial, judgment, or other proceeding thereon be affected by reason of any defect or imperfection in matter of form sistants of district the prejudice of the defendant, or by the court of the attendance before the grand jury during the taking of reason of the attendance before the grand jury during the taking of testimony of one or more clerks or stenographers employed in a clerical capacity to assist the district attorney or other counsel for the Government who shall, in that connection, be deemed to be persons acting for and on behalf of the United States in an official capacity and function." capacity and function.

Approved, May 18, 1933.

[CHAPTER 32.]

AN ACT

May 18, 1933. [H.R. 5081.] [Public, No. 17.]

To improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; to provide for the agricultural and industrial development of said valley; to provide for the national defense by the creation of a corporation for the operation of Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes.

Tennessee Valley Authority Act of 1933.
Purposes declared.
Post, pp. 275, 1055.

"Tennessee Valley Authority" body cor-porate created. Incorporators, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Alabama, in the interest of the national defense and for agricultural and industrial development, and to improve navigation in the Tennessee River and to control the destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the "Tennessee Valley Authority" (hereinafter referred to as the "Corporation"). The board of directors first appointed shall be deemed the incorporators, and the incorporation shall be held to have been effected from the date of the first meeting

of the board. This Act may be cited as the "Tennessee Valley

Authority Act of 1933."

after referred to as the "board") shall be composed of three mem-man, etc.

Board of directors. Composition, chair-bers, to be appointed by the President by and with the composed of three mem-man, etc. consent of the Senate. In appointing the members of the board, the President shall designate the chairman. All other officials, agents, and employees shall be designated and selected by the board.

(b) The terms of office of the members first taking office after the approval of this Act shall expire as designated by the President at the time of nomination, one at the end of the third year, one at the end of the sixth year, and one at the end of the ninth year, after the date of approval of this Act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring nine years from the date of the expiration of the term for which his predecessor was appointed.

(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was

appointed shall be appointed for the remainder of such term.

(d) Vacancies in the board so long as there shall be two members pair powers, if quorum in office shall not impair the powers of the board to execute the manifest. functions of the Corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

(e) Each of the members of the board shall be a citizen of the residence, etc. United States, and shall receive a salary at the rate of \$10,000 a year, to be paid by the Corporation as current expenses. Each member of the board, in addition to his salary, shall be permitted to occupy as his residence one of the dwelling houses owned by the Government in the vicinity of Muscle Shoals, Alabama, the same to be designated by the President of the United States. Members of actual expenses. the board shall be reimbursed by the Corporation for actual expenses (including traveling and subsistence expenses) incurred by them in the performance of the duties vested in the board by this Act. No member of said board shall, during his continuance in office, other business. be engaged in any other business, but each member shall devote himself to the work of the Corporation.

(f) No director shall have financial interest in any public-utility financial interest in corporation engaged in the business of distributing and selling power experian public utility corporations. to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen or fertilizer, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Corporation as a producer of concentrated fertilizers or as a producer

of electric power.

(g) The board shall direct the exercise of all the powers of Corporation powers. the Corporation.

(h) All members of the board shall be persons who profess a project.

belief in the feasibility and wisdom of this Act.

Service laws applicable to officers and employees of the United without regard to civil service laws applicable to officers and employees of the United service laws. States, appoint such managers, assistant managers, officers, employ-ees, attorneys, and agents, as are necessary for the transaction of its business, fix their compensation, define their duties, require bonds of such of them as the board may designate, and provide zation system. To provide organia system of organization to fix responsibility and promote efficiency. Any appointee of the board may be removed in the discretion strictions, etc. Removals, salary restrictions, etc.

Citation of Act.

Terms of office.

Successors.

Filling vacancies.

Citizenship, salary,

Reimbursement for

shall receive a salary in excess of that received by the members of the board.

Construction contracts to stipulate payments at prevailing require the employment of laborers and mechanics in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics in the construction of laborers and mechanics in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the construction of laborers and mechanics are constructed in the con tion, alteration, maintenance, or repair of buildings, dams, locks, or other projects shall contain a provision that not less than the prevailing rate of wages for work of a similar nature prevailing in the vicinity shall be paid to such laborers or mechanics.

In the event any dispute arises as to what are the prevailing rates of wages, the question shall be referred to the Secretary of Labor for determination, and his decision shall be final. In the determination of such prevailing rate or rates, due regard shall be given to those rates which have been secured through collective agreement

by representatives of employers and employees.

Where such work as is described in the two preceding paragraphs is done directly by the Corporation the prevailing rate of wages shall be paid in the same manner as though such work had been let by contract.

Insofar as applicable, the benefits of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, shall extend to persons given employment under the provisions of this Act.

Sec. 4. Except as otherwise specifically provided in this Act, the Corporation-

(a) Shall have succession in its corporate name.

(b) May sue and be sued in its corporate name.(c) May adopt and use a corporate seal, which shall be judicially noticed.

(d) May make contracts, as herein authorized. (e) May adopt, amend, and repeal bylaws.

(f) May purchase or lease and hold such real and personal property as it deems necessary or convenient in the transaction of its business, and may dispose of any such personal property held

The board shall select a treasurer and as many assistant treasurers as it deems proper, which treasurer and assistant treasurers shall give such bonds for the safe-keeping of the securities and moneys of the said Corporation as the board may require: Provided, That any member of said board may be removed from office at any time by a concurrent resolution of the Senate and the House of Representatives.

(g) Shall have such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the Corporation.

(h) Shall have power in the name of the United States of America to exercise the right of eminent domain, and in the purchase of any real estate or the acquisition of real estate by condemnation Holding as agent of proceedings, the title to such real estate shall be taken in the name United States.

Of the United States of American and I was a state of the United States of American and I was a state of the II wa of the United States of America, and thereupon all such real estate shall be entrusted to the Corporation as the agent of the United

States to accomplish the purposes of this Act.

(i) Shall have power to acquire real estate for the construction of dams, reservoirs, transmission lines, power houses, and other structures, and navigation projects at any point along the Tennessee River, or any of its tributaries, and in the event that the owner or owners of such property shall fail and refuse to sell to the Corporation at a price deemed fair and reasonable by the board, then the Corporation may proceed to exercise the right of eminent domain,

Wage disputes to be referred to the Secre-tary of Labor; decision final.

Due regard for collective agreements.

Work done directly by Corporation.

Injuries to Government employees.
Benefits of act respecting, extended.
Vol. 39, p. 742.
U.S.C., p. 76.

Corporate powers.

Treasurer and assistants to be selected; surety bonds.

Proviso. Removal members. of board

Right of eminent domain.

Sites for dams, power houses, etc.

Condemnation pro-

and to condemn all property that it deems necessary for carrying out the purposes of this Act, and all such condemnation proceedings shall be had pursuant to the provisions and requirements hereinafter specified, with reference to any and all condemnation proceedings.

(j) Shall have power to construct dams, reservoirs, power houses, and unite power inpower structures, transmission lines, navigation projects, and inci-stallations dental works in the Tennessee River and its tributaries, and to unite the various power installations into one or more systems by trans-

Sec. 5. The board is hereby authorized—

(a) To contract with commercial producers for the production of commercial producers such fertilizers or fertilizer materials as may be needed in the Gov-for producing fertilizer, ernment's program of development and introduction in excess of that ernment's program of development and introduction in excess of that produced by Government plants. Such contracts may provide either for outright purchase of materials by the board or only for the payment of carrying charges on special materials manufactured at the

board's request for its program.

(b) To arrange with farmers and farm organizations for largetical use of new forms of fertilizers under conditions of fertilizers.

To arrange for practical use of the new forms of fertilizers under conditions of fertilizers. permitting an accurate measure of the economic return they produce.

(c) To cooperate with National, State, district, or county experi- Cooperative demonstrations. mental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction.

(d) The board in order to improve and cheapen the production of To make and sell fertilizer is authorized to manufacture and sell fixed nitrogen, fer-er, etc., at Muscle tilizer and fortilizer ingredients at Muscle Shools by the employment Shools. tilizer, and fertilizer ingredients at Muscle Shoals by the employment of existing facilities, by modernizing existing plants, or by any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen or the cheapening of the production of fertilizer.

(e) Under the authority of this Act the board may make donations Equitable distribution through agricultural for the property of the relation through agricultural for the property of the relation through agricultural for the property of t or sales of the product of the plant or plants operated by it to be tural agencies. fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct, for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of their use.

(f) The board is authorized to make alterations, modifications, or etc. improvements in existing plants and facilities, and to construct new

plants.

cultural purposes or leased, then the board shall maintain in stand-by tion at, if not used for condition nitrate plant numbered 2, or its equivalent, for the fixation introgen fixation.

Nitrate plant no. 2. Explosives production at, if not used for nutrogen fixation. of atmospheric nitrogen, for the production of explosives in the event of war or a national emergency, until the Congress shall by joint resolution release the board from this obligation, and if any part thereof be used by the board for the manufacture of phosphoric acid potash manufacture. or potash, the balance of nitrate plant numbered 2 shall be kept in

stand-by condition.

(h) To establish, maintain, and operate laboratories and experiments for the purpose of Experiments for milienabling the Corporation to furnish nitrogen products for military tary purposes. purposes, and nitrogen and other fertilizer products for agricultural purposes in the most economical manner and at the highest standard

of efficiency.

(i) To request the assistance and advice of any officer, agent, or Add of other Government services. employee of any executive department or of any independent office of the United States, to enable the Corporation the better to carry

Board authority.

Plant improvements,

Pay to inventor, etc.

Sale of explosives to Government; cost.

Allotment of power for operating locks, etc.

Produce, sell, etc., power.

uets

President may lease nitrate plant no. 2 and Waco Quarry.

Condition

Discretionary pur-chase of, from Alabama Power Company, etc.

Provision for trans-

No illegal monopoly,

out its powers successfully, and as far as practicable shall utilize the services of such officers, agents, and employees, and the President shall, if in his opinion, the public interest, service, or economy so require, direct that such assistance, advice, and service be rendered to the Corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board:

Provisos.
Use of any invention or discovery made by virtue of and incidental to such service by an employee of the Government of the United States serving under this section, or by any employee of the Corporation, together with any patents which may be granted thereon, shall be the sole and exclusive property of the Corporation. which is hereby authorized to grant such licenses thereunder as shall be authorized by the board: Provided further, That the board may pay to such inventor such sum from the income from sale of licenses as it may deem proper.

(j) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United

States explosives or their nitrogenous content.

(k) Upon the requisition of the Secretary of War the Corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said Department for use in operation of all locks, lifts, or other facilities in aid of navigation.
(1) To produce, distribute, and sell electric power, as herein

Foreign sales of prod-(m) No products of the Corporation shall be sold for use outside of the United States, its Territories and possessions, except to the United States Government for the use of its Army and Navy, or to its allies in case of war.

(n) The President is authorized, within twelve months after the passage of this Act, to lease to any responsible farm organization or to any corporation organized by it nitrate plant numbered 2 and Waco Quarry, together with the railroad connecting said quarry Term not to exceed with nitrate plant numbered 2, for a term not exceeding fifty years at a rental of not less than \$1 per year, but such authority shall be subject to the express condition that the lessee shall use said property during the term of said lease exclusively for the manufacture of fertilizer and fertilizer ingredients to be used only in the manufacture of fertilizer by said lessee and sold for use as fertilizer. Lessee to keep property. The said lessee shall covenant to keep said property in first-class erty in first-class condition; may modernize, condition, but the lessee shall be authorized to modernize said plant The said lessee shall covenant to keep said property in first-class numbered 2 by the installation of such machinery as may be necessary, and is authorized to amortize the cost of said machinery and improvements over the term of said lease or any part thereof. Said Power for operating lease shall also provide that the board shall sell to the lessee power and. for the operation of said plant at the same schedule of prices that it charges all other customers for power of the same class and quantity. Said lease shall also provide that, if the said lessee does not desire to buy power of the publicly owned plant, it shall have the right to purchase its power for the operation of said plant of the Alabama Power Company or any other publicly or privately owned corpora-tion engaged in the generation and sale of electric power, and in such case the lease shall provide further that the said lessee shall have a free right of way to build a transmission line over Govern. ment property to said plant paying the actual expenses and damages. if any, incurred by the Corporation on account of such line. lease shall also provide that the said lessee shall covenant that during the term of said lease the said lessee shall not enter into any

illegal monopoly, combination, or trust with any privately owned corporation engaged in the manufacture, production, and sale of fertilizer with the object or effect of increasing the price of fertilizer to the farmer.

SEC. 6. In the appointment of officials and the selection of No political test in employees for said Corporation, and in the promotion of any such tions. employees or officials, no political test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be given and made on the basis of merit and efficiency. Any member of said board who is found by the President of the United States to be guilty of a violation of this section shall be removed from office by the President of the United States, and any appointee of said board who is found by the board to be guilty of a violation of this section shall be removed from office by said board.

SEC. 7. In order to enable the Corporation to exercise the powers Powers and duties vested in Corporation.

and duties vested in it by this Act-

(a) The exclusive use, possession, and control of the United Designated property, at a nitrate plants numbered 1 and 2 including steep plants numbered 1 and 2 including steep plants. States nitrate plants numbered 1 and 2, including steam plants, located, respectively, at Sheffield, Alabama, and Muscle Shoals, Alabama, together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam Numbered 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof, and all other property to be acquired by the Corporation in its own name or in the name of the United States of America, are hereby intrusted to the Corporation for the purposes of this Act.

(b) The President of the United States is authorized to provide property. for the transfer to the Corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the

purposes of the Corporation as herein stated.

SEC. 8. (a) The Corporation shall maintain its principal office Corporation.

Sec. 8. The Corporation of Muscle Shoals, Alabama. The Corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to the venue of civil suits.

(b) The Corporation shall at all times maintain complete and be maintained

accurate books of accounts.

(c) Each member of the board, before entering upon the duties of his office, shall subscribe to an oath (or affirmation) to support the Constitution of the United States and to faithfully and impartially perform the duties imposed upon him by this Act.

SEC. 9. (a) The board shall file with the President and with and report to be filed the Congress, in December of each year, a financial statement and annually a complete report as to the business of the Corporation covering

the preceding governmental fiscal year. This report shall include an itemized statement of the cost of power at each power station, the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than \$1,500 a year.

(b) The Comptroller General of the United States shall audit tions. the transactions of the Corporation at such times as he shall determine, but not less frequently than once each governmental fiscal year, with personnel of his selection. In such connection he and Full access to books, his representatives shall have free and open access to all papers,

Penalty for violation.

Oath of office.

Items to be included.

Report in quadrupli-

Advances to be made by Corporation.

to States, etc

Contracts of sale.

Preferences.

Electricity on farms.

Extending transmission lines.

Experiments to promote use of power.

Policy of equitable distribution declared.

Primary benefits for domestic use, etc.

books, records, files, accounts, plants, warehouses, offices, and all other things, property and places belonging to or under the control of or used or employed by the Corporation, and shall be afforded full facilities for counting all cash and verifying transactions with and balances in depositaries. He shall make report of each such audit in quadruplicate, one copy for the President of the United States, one for the chairman of the board, one for public inspection at the principal office of the corporation, and the other to be retained by him for the uses of the Congress. The expenses for each such audit may be paid from moneys advanced therefor by the Corpora-Accounting Office, and appropriations so used shall be reimbursed promptly by the Corporation as billed by the Comptroller General.

All such audit expenses shall be charged to constitute the comptroller of the comptroller of the comptroller of the charged to constitute the charged the charged to constitute the charged the charg All such audit expenses shall be charged to operating expenses of the Corporation. The Comptroller General shall make special report to the President of the United States and to the Congress of Transactions conthe Corporation. any transaction or condition found by him to be in conflict with the Sale of surplus power powers or duties intrusted to the Corporation by law.

SEC. 10. The board is hereby empowered and authorized to sell the surplus power not used in its operations, and for operation of locks and other works generated by it, to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth; and to carry out said authority, the board is authorized to enter into contracts for such sale for a term not exceeding twenty years, and in the sale of such current by the board it shall give preference to States, counties, municipalities, and cooperative organizations of citizens or farmers, not organized or doing business for profit, but primarily for the purpose of supplying electricity to its own citizens or members: Provided, That all Provisos.
Cancellation clause, ing electricity to its own citizens or members: Provided, That all when power sold for contracts made with private companies or individuals for the sale resale at profit.

of power which power is to be resald for a profit shall contain a of power, which power is to be resold for a profit, shall contain a provision authorizing the board to cancel said contract upon five years' notice in writing, if the board needs said power to supply the demands of States, counties, or municipalities. In order to promote and encourage the fullest possible use of electric light and power on farms within reasonable distance of any of its transmission lines the board in its discretion shall have power to construct transmission lines to farms and small villages that are not otherwise supplied with electricity at reasonable rates, and to make such rules and regulations governing such sale and distribution of such electric power as in its judgment may be just and equitable: Provided further, That the board is hereby authorized and directed to make studies, experiments, and determinations to promote the wider and Cooperation with States, etc. better use of electric power for agricultural and domestic use, or for small or local industries and it may constitute the wider and small or local industries, and it may cooperate with State governments, or their subdivisions or agencies, with educational or research institutions, and with cooperatives or other organizations, in the application of electric power to the fuller and better balanced development of the resources of the region.

SEC. 11. It is hereby declared to be the policy of the Government so far as practical to distribute and sell the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance. This policy is further declared to be that the projects herein provided for shall be considered primarily as for the benefit of the people of the section as a whole and particularly the domestic and rural consumers to whom Industry, a second. the power can economically be made available, and accordingly that sale to and use by industry shall be sale to and use by industry shall be a secondary purpose, to be utilized principally to secure a sufficiently high load factor and revenue

returns which will permit domestic and rural use at the lowest possible rates and in such manner as to encourage increased domestic and rural use of electricity. It is further hereby declared to be the Utilizing properties policy of the Government to utilize the Muscle Shoals properties tilizer production so far as may be necessary to improve, increase, and cheapen the production of fertilizer and fertilizer ingredients by carrying out

the provisions of this Act.

Sec. 12. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power, it construction, etc., auis hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, or from funds secured by the sale of bonds hereafter provided for, to construct, lease, purchase, or authorize the construction of transmission lines within transmission distance from the place where generated, and to interconnect with other systems. The board is also authorized to lease to any person, persons, or corporation the use of any transmission line owned by the Government and operated by the board, but no such lease shall be made that in any way interferes with the use of such transmission line by the board: Provided, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but primarily for the purpose of supplying electricity power for resale without its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct and maintain a properly designed and built transmission line to the Government reservation upon which is located a Government generating plant, or to a main transmission line owned by the Government or leased by the board and under the control of the board, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding thirty years; and in any such case the board shall give to such State, county. municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such State, county, municipality, or other organization to contract with the board for such power: Provided further, That all contracts entered into between the Corfor power distribution poration and any municipality or other political subdivision or class.

Contract provision for power distribution to consumers of same cooperative organization shall provide that the electric power shall be sold and distributed to the ultimate consumers of same cooperative organization shall provide that the electric power shall be sold and distributed to the ultimate consumer without discrimination as between consumers of the same class, and such contract voids shall be voidable at the election of the board if a discriminatory given. rate, rebate, or other special concession is made or given to any consumer or user by the municipality or other political subdivision or cooperative organization: And provided further, That as to any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be made to the ultimate consumer of such electric power at prices that shall not exceed a schedule fixed by the board from time to time as reasonable, just, and fair; and in case of any such sale, if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the board, the contract for such sale between the board and such distributor of electricity shall be voidable at the election of the board: And provided further, That the board is hereby with other systems of authorized to enter into contracts with other power systems for conservation, etc.

Transmission Funds available.

Leases: restriction.

Term of grace.

Voidable if discrimi-atory, rebate, etc.,

Consumer rate to be fixed by schedule.

Voidable, if charge

the mutual exchange of unused excess power upon suitable terms, for the conservation of stored water, and as an emergency or break-down relief.

Payments to A bama and Tennessee Ala-

Computing gross pro-

Percentages subject to revision.

Limitations.

Dam Numbered 2, nitrate plants, etc.

Findings final; use, in keeping book values.

Future structures.

Bond issue for construction expenses, authorized.

Sec. 13. Five per centum of the gross proceeds received by the board for the sale of power generated at Dam Numbered 2, or from any other hydropower plant hereafter constructed in the State of Alabama, shall be paid to the State of Alabama; and 5 per centum of the gross proceeds from the sale of power generated at Cove Creek Dam, hereinafter provided for, or any other dam located in the State generated to be ascertained. Upon the completion of said Cove Creek Dam the State of Tennessee. Upon the completion of said Cove Creek Dam the board shall ascertain how much additional power is thereby generated at Dam Numbered 2 and at any other dam hereafter constructed by the Government of the United States on the Tennessee River, in the State of Alabama, or receds to Alabama and Tennessee.

Other dams to be mcluded.

Other dams to be mcluded. River or any of its tributaries, the main purpose of which is to control flood waters and where the development of electric power is incidental to the operation of such flood-control dam. In ascertaining the gross proceeds from the sale of such power upon which a percentage is paid to the States of Alabama and Tennessee, the board shall not take into consideration the proceeds of any power sold or delivered to the Government of the United States, or any department or agency of the Government of the United States, used in the operation of any locks on the Tennessee River or for any experimental purpose, or for the manufacture of fertilizer or any of the ingredients thereof, or for any other governmental purpose: Provided, That the percentages to be paid to the States of Alabama and Tennessee, as provided in this section, shall be subject to revision and change by the board, and any new percentages established by the board, when approved by the President, shall remain in effect until and unless again changed by the board with the approval of the President. No change of said percentages shall be made more often than once in five years, and no change shall be made without giving to the States of Alabama and Tennessee an opportunity to be heard.

Sec. 14. The board shall make a thorough investigation as to the present value of Dam Numbered 2, and the steam plants at nitrate Present value to be plant numbered 1, and nitrate plant numbered 2, and as to the cost of Cove Creek Dam, for the numbers of accertaining how much of the value or the cost of said properties shall be allocated and charged up to (1) flood control, (2) navigation, (3) fertilizer, (4) national defense, and (5) the development of power. The findings thus made by the board, when approved by the President of the United States, shall be final, and such findings shall thereafter be used in all allocation of value for the purpose of keeping the book value of said properties. In like manner, the cost and book value of any dams, steam plants, or other similar improvements hereafter constructed and turned over to said board for the purpose of control and management shall be ascertained and allocated.

SEC. 15. In the construction of any future dam, steam plant, or other facility, to be used in whole or in part for the generation or transmission of electric power the board is hereby authorized and empowered to issue on the credit of the United States and to sell serial bonds not exceeding \$50,000,000 in amount, having a maturity not more than fifty years from the date of issue thereof, and bearing

interest not exceeding 31/2 per centum per annum. Said bonds shall be issued and sold in amounts and prices approved by the Secretary of the Treasury, but all such bonds as may be so issued and sold shall Bonds to have equal rank, sold at par, etc. have equal rank. None of said bonds shall be sold below par, and no fee, commission, or compensation whatever shall be paid to any person, firm, or corporation for handling, negotiating the sale, or etc. selling the said bonds. All of such bonds so issued and sold shall have selling the said ponds. An or such conds to have a land bonds, 34, p. 5.
all the rights and privileges accorded by law to Panama Canal bonds, 34, p. 5.
U.S.C., p. 1024. authorized by section 8 of the Act of June 28, 1902, chapter 1302, as amended by the Act of December 21, 1905 (ch. 3, sec. 1, 34 Stat. 5), All funds derived from the sale of such bonds shall be paid over to paid to Corporation. the Corporation.

SEC. 16. The board, whenever the President deems it advisable, is and steam plant at nihereby empowered and directed to complete Dam Numbered 2 at Muscle Shoals, Alabama, and the steam plant at nitrate plant numbered 2. Authority to complete. bered 2, in the vicinity of Muscle Shoals, by installing in Dam Numbered 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant

at nitrate plant numbered 2.

Sec. 17. The Secretary of War, or the Secretary of the Interior, is hereby authorized to construct, either directly or by contract to Creek Dam. the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long custom become known and designated as the Cove Creek Dam, together with a transmission line from Muscle Shoals, according to from Muscle Shoals.

Transmission lines from Muscle Shoals, according to from Muscle Shoals.

Transmission lines from Muscle Shoals, according to from Muscle Shoals. the latest and most approved designs, including power house and hydroelectric installations and equipment for the generation of mary power.

power, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam Numbered 2 and at any and all other dams below hereby authorized by appropriate order to direct the employment of engineers.

Provided, nowever, That the President is Employment of engineers by the Secretary of the Table Total Provided is Employment of engineers. engineer or engineers as he may designate, to perform such duties and obligations as he may deem proper, either in the drawing of plans and specifications for said dam, or to perform any other work in the building or construction of the same. The President may, by such order, place the control of the construction of said dam in the hands struction of such engineer or engineer taken for the same. The fresident may, by such Supervision of conorder, place the control of the construction of said dam in the hands of such engineer or engineers taken from private life as he may authorized, without regard to the restriction or limitation of any tigating undue advantages of the statute, to select attorneys and assistants for the purpose of persons, etc. desire: And provided further, That the President is hereby expressly making any investigation he may deem proper to ascertain whether, in the control and management of Dam Numbered 2, or any other dam or property owned by the Government in the Tennessee River Basin, or in the authorization of any improvement therein, there has been any undue or unfair advantage given to private persons, partnerships, or corporations, by any officials or employees of the Government, or whether in any such matters the Government has been injured or unjustly deprived of any of its rights.

SEC. 18. In order to enable and empower the Secretary of War, Authority of Board, the Secretary of the Interior, or the board to carry out the authority etc., to exercise right of hereby conferred, in the most economical and efficient manner, he obtain site for. Sec. 18. In order to enable and empower the Secretary of War, or it is hereby authorized and empowered in the exercise of the powers of national defense in aid of navigation, and in the control

No commission, fee,

Rights, etc., of bonds. Vol. 32, p. 484; Vol.

Clinch River. Construction, Cove

Contracts with States, etc., for relocation of property.

Control of completed project

Access to Patent Office for study of fixed nitrogen production formulae.

Remedy of patent owner for infringement.

Proviso. Limitation.

Emergency possession of property, etc., reserved.

Damage payments.

Penal statutes relating to larceny, etc., applicable to property of Corporation

Condemnation pro- of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain for all purposes of this Act, and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam, and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this Act. When said Cove Creek Dam, transmission line, and power house shall have been completed, the possession, use, and control thereof shall be intrusted to the Corporation for use and operation in connection with the general Tennessee Valley project, and to promote flood control and navigation in the Tennessee River.

SEC. 19. The Corporation, as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulæ, and scientific information (not including access to pending applications for patents) necessary to enable the Corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient of fertilizer, or any method of improving and cheap-ening the production of hydroelectric power, and any owner of a patent whose patent rights may have been thus in any way copied, used, infringed, or employed by the exercise of this authority by the Corporation shall have as the exclusive remedy a cause of action against the Corporation to be instituted and prosecuted on the equity side of the appropriate district court of the United States, for the recovery of reasonable compensation for such infringement. Commissioner of Patents shall furnish to the Corporation, at its request and without payment of fees, copies of documents on file in his office: Provided, That the benefits of this section shall not apply to any art, machine, method of manufacture, or composition of matter, discovered or invented by such employee during the time of his employment or service with the Corporation or with the Government of the United States.

Sec. 20. The Government of the United States hereby reserves the right, in case of war or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this Act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract for the purchase of electric power or fixed nitrogen or fertilizer ingredients is hereby violated, after the amount of the damages has been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

SEC. 21. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the Corporation and to moneys and properties of the United States intrusted to the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation Fals or any officer or employee of the United States (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned not more than five years,

(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than \$5,000 or imprisoned not more than

five years, or both.

SEC. 22. To aid further the proper use, conservation, and development of the natural resources of the Tennessee River drainage ment.

Tennessee River drainage ment. basin and of such adjoining territory as may be related to or materially affected by the development consequent to this Act, and to provide for the general welfare of the citizens of said areas, the President is hereby authorized, by such means or methods as he may deem proper within the limits of appropriations made therefor by Congress, to make such surveys of and general plans for said Tennessee basin and adjoining territory as may be useful to the Congress and to the several States in guiding and controlling the extent, sequence, and nature of development that may be equitably and economically advanced through the expenditure of public funds, or through the guidance or control of public authority, all for the general purpose of fostering an orderly and proper physical, economic, and social development of said areas; and the President States affected. is further authorized in making said surveys and plans to cooperate with the States affected thereby, or subdivisions or agencies of such States, or with cooperative or other organizations, and to make such studies, experiments, or demonstrations as may be necessary and suitable to that end.

Sec. 23. The President shall, from time to time, as the work provided for in the preceding section progresses, recommend to Congress out purposes. such legislation as he deems proper to carry out the general purposes stated in said section, and for the especial purpose of bringing about in said Tennessee drainage basin and adjoining territory in conformity with said general purposes (1) the maximum amount of flood control; (2) the maximum development of said Tennessee River for navigation purposes; (3) the maximum generation of electric power consistent with flood control and navigation; (4) the proper use of marginal lands; (5) the proper method of reforestation of all lands in said drainage basin suitable for reforestation; and (6) the economic and social well-being of the people living in

said river basin. Sec. 24. For the purpose of securing any rights of flowage, or secure flowage rights. obtaining title to or possession of any property, real or personal, that may be necessary or may become necessary, in the carrying out of any of the provisions of this Act, the President of the United States for a period of three years from the date of the enactment of this Act, is hereby authorized to acquire title in the name of the United States to such rights or such property, and to provide for the payment for same by directing the board to contract to deliver power generated at any of the plants now owned or hereafter owned or constructed by the Government or by said Corporation, such future delivery of power to continue for a period not exceeding thirty years. Likewise, for one year after the enactment

False entries False report or state-

Punishment for.

Fraud, etc.

Punishment for.

Surveys authorized.

Purpose.

with

Flood control. Navigation. Electric power. Use of marginal lands, Reforestation.

Economic progress.

Payment provided.

Land for Government use excluded

Provisos Preference right of States, abridged. etc.,

use.

Condemnation pro-ceedings for acquisition of necessary lands, etc

Jurisdiction of court.

Commissioners to be

Qualifications.

diem, subsistence, etc.

Proceedings, in appraisement.

Report, making separate award of each parcel, to be filed.

Notice of, to parties to proceeding.

Exceptions to award.

Sale, etc., of vacant of this Act, the President is further authorized to sell or lease any real estate.

Conditions of sale. parcel or part of any vacant real estate now owned by the Government in said Tennessee River Basin, to persons, firms, or corporations who shall contract to erect thereon factories or manufacturing establishments, and who shall contract to purchase of said Corporation electric power for the operation of any such factory or manufacturing establishment. No contract shall be made by the President for the sale of any of such real estate as may be necessary for present or future use on the part of the Government for any of the purposes of this Act. Any such contract made by the President of the United States shall be carried out by the board: Provided, That not no such contract shall be made that will in any way abridge or take away the preference right to purchase power given in this Act to States, counties, municipalities, or farm organizations: Provided fur-Maximum term of ther, That no lease shall be for a term to exceed fifty years: Provided Sale conditional on further, That any sale shall be on condition that said land shall be used for industrial purposes only.

SEC. 25. The Corporation may cause proceedings to be instituted for the acquisition by condemnation of any lands, easements, or rights of way which, in the opinion of the Corporation, are necessary to carry out the provisions of this Act. The proceedings shall be instituted in the United States district court for the district in which the land, easement, right of way, or other interest, or any part thereof, is located, and such court shall have full jurisdiction to divest the complete title to the property sought to be acquired out of all persons or claimants and vest the same in the United States in fee simple, and to enter a decree quieting the title thereto in the United States of America.

Upon the filing of a petition for condemnation and for the purpose of ascertaining the value of the property to be acquired, and assessing the compensation to be paid, the court shall appoint three commissioners who shall be disinterested persons and who shall take and subscribe an oath that they do not own any lands, or interest or easement in any lands, which it may be desirable for the United States to acquire in the furtherance of said project, and such commissioners shall not be selected from the locality wherein the land sought to be condemned lies. Such commissioners shall receive a per diem of not to exceed \$15 for their services, together with an additional amount of \$5 per day for subsistence for time actually spent in performing their duties as commissioners.

It shall be the duty of such commissioners to examine into the value of the lands sought to be condemned, to conduct hearings and receive evidence, and generally to take such appropriate steps as may be proper for the determination of the value of the said lands sought to be condemned, and for such purpose the commissioners are authorized to administer oaths and subpœna witnesses, which said witnesses shall receive the same fees as are provided for witnesses in the Federal courts. The said commissioners shall thereupon file a report setting forth their conclusions as to the value of the said property sought to be condemned, making a separate award and valuation in the premises with respect to each separate parcel involved. the filing of such award in court the clerk of said court shall give notice of the filing of such award to the parties to said proceeding, in manner and form as directed by the judge of said court.

Either or both parties may file exceptions to the award of said commissioners within twenty days from the date of the filing of said award in court. Exceptions filed to such award shall be heard before three Federal district judges unless the parties, in writing,

in person, or by their attorneys, stipulate that the exceptions may be heard before a lesser number of judges. On such hearing such judges shall pass de novo upon the proceedings had before the commissioners, may view the property, and may take additional evidence. Upon such hearings the said judges shall file their own award, fixing therein the value of the property sought to be condemned, regardless of the award previously made by the said commissioners.

At any time within thirty days from the filing of the decision of the district judges upon the hearing on exceptions to the award made by the commissioners, either party may appeal from such decision of the said judges to the circuit court of appeals, and the said circuit court of appeals shall upon the hearing on said appeal dispose of the same upon the record, without regard to the awards or findings theretofore made by the commissioners or the district judges, and such circuit court of appeals shall thereupon fix the

value of the said property sought to be condemned.

Upon acceptance of an award by the owner of any property Acceptance of payherein provided to be appropriated, and the payment of the money United States. awarded or upon the failure of either party to file exceptions to the award of the commissioners within the time specified, or upon the award of the commissioners, and the payment of the money by the United States pursuant thereto, or the payment of the money awarded into the registry of the court by the Corporation, the title to said property and the right to the possession thereof shall pass to the United States, and the United States shall be entitled to a writ in the may issue. same proceeding to dispossess the former owner of said property, and all lessees, agents, and attorneys of such former owner, and to put the United States, by its corporate creature and agent, the Corporation, into possession of said property.

In the event of any property owned in whole or in part by minors, legally incompetent. or insane persons, or incompetent persons, or estates of deceased persons, then the legal representatives of such minors, insane persons, incompetent persons, or estates shall have power, by and with the consent and approval of the trial judge in whose court said matter is for determination, to consent to or reject the awards of the commissioners herein provided for, and in the event that there be no legal representatives, or that the legal representatives for such minors, insane persons, or incompetent persons shall fail or decline to act, then such trial judge may, upon motion, appoint a guardian ad litem to act for such minors, insane persons, or incompetent persons, and such guardian ad litem shall act to the full extent and to the same purpose and effect as his ward could act, if competent, and such guardian ad litem shall be deemed to have full power and authority to respond, to conduct, or to maintain any proceeding herein provided for affecting his said ward.

SEC. 26. The net proceeds derived by the board from the sale of sale of power, etc., power and any of the products manufactured by the Corporation, covered in. after deducting the cost of operation, maintenance, depreciation, amortization, and an amount deemed by the board as necessary to withhold as operating capital, or devoted by the board to new construction, shall be paid into the Treasury of the United States at the end of each calendar year.

Appropriations au-SEC. 27. All appropriations necessary to carry out the provisions thorized.

Post, p. 275.

of this Act are hereby authorized.

Sec. 28. That all Acts or parts of Acts in conflict herewith are repealed. hereby repealed, so far as they affect the operations contemplated by this Act.

Hearing.

Separate award required.

Appeals.

Verdict.

Writ of assistance

Conflicting laws, e.c.,

Right to amend, etc., tracts.

Sec. 29. The right to alter, amend, or repeal this Act is hereby reserved.

Not to impair con- expressly declared and reserved, but no such amendment or repeal shall operate to impair the obligation of any contract made by said Corporation under any power conferred by this Act.

Separability provi-

SEC. 30. The sections of this Act are hereby declared to be separable, and in the event any one or more sections of this Act be held to be unconstitutional, the same shall not affect the validity of other sections of this Act.

Approved, May 18, 1933.

ICHAPTER 33.1

AN ACT

May 18, 1933. [S. 7.] [Public, No. 18.]

Providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

Public lands. Mining claims assess-

Alaska included.

Be it enacted by the Senate and House of Representatives of the Public lands.
Mining claims assessments suspended for of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been Us.C., p. 965

White States of America in Congress assembled, That the provision fiscal year 1933.
R. S., sec. 2324, p. 426.
U.S.C., p. 965

States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States, including Alaska, during the year beginning at 12 o'clock meridian July 1, 1932, and ending at 12 o'clock meridian July 1, 1933: Provided, That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from the payment Claimant paying income tax excluded the case of any claimant not entitled to exemption from the payment Notice of retaining claim to be filed.

Notice of retaining of a Federal income tax for the taxable year 1932: Provided further, That every claimant of any such mining claim, in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian, July 1, 1933, a notice of his desire to hold said Income tax exemp mining claim under this Act, which notice shall state that the claimant, or claimants, were entitled to exemption from the pay-

Approved, May 18, 1933.

[CHAPTER 34.]

AN ACT

May 20, 1933. [S 1410.] [Public, No. 19]

To amend section 207 of the Bank Conservation Act with respect to bank reorganizations.

ment of a Federal income tax for the taxable year 1932.

Bank Conservation Act amendment. Ante, p 3. Substitution, in sec-tion 207, ofterm "bank" for "national banking association" for "nation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 207 of the Bank Conservation Act is amended by striking out "national banking association" wherever it appears therein and inserting in lieu thereof the word "bank."

Approved, May 20, 1933.

[CHAPTER 35.]

AN ACT

May 20, 1933. [S. 1415.] [Public, No. 20]

- To amend sections 5200 and 5202 of the Revised Statutes, as amended, to remove the limitations on national banks in certain cases.

National banks.
R.S., sec. 5200, p. 264.
Vol.41, p. 297; Vol.44, of the Revised Statutes, as amended, is amended by adding at the end thereof the following new paragraph:

"(9) Obligations representing loans to any national banking Removal of limita-association or to any banking institution organized under the laws of cases. any State, or to any receiver, conservator, or superintendent of banks, or to any other agent, in charge of the business and property of any such association or banking institution, when such loans are approved by the Comptroller of the Currency, shall not be subject under this section to any limitation based upon such capital and

SEC. 2. Section 5202 of the Revised Statutes, as amended, is amended by adding at the end thereof the following new paragraph:

"Ninth. Liabilities incurred on account of loans made with the express approval of the Comptroller of the Currency under paragraph (9) of section 5200 of the Revised Statutes, as amended."

Approved, May 20, 1933.

Limit upon indebtedness of national banks.

Vol. 41, p. 297.
R.S., sec. 5202, p.

1005; U.S.C., p. 264.
Additional exception.

Liabilities from loans approved by Comptroller.

[CHAPTER 36.]

JOINT RESOLUTION

Designating May 22 as National Maritime Day.

May 20, 1933. [S.J.Res. 50.] [Pub. Res., No. 7.]

Whereas on May 22, 1819, the steamship The Savannah set sail from National Maritime Savannah, Georgia, on the first successful transoceanic voyage Preamble. under steam propulsion, thus making a material contribution to the

advancement of ocean transportation: Therefore be it

Resolved by the Senate and House of Representatives of the United

States of America in Congress assembled, That May 22 of each year shall hereafter be designated and known as National Maritime Day, shall hereafter be designated and known as matter to issue a annually to issue a to issue Post, pp 1696, 1742. such National Maritime Day by displaying the flag at their homes or other suitable places and Government officials to display the flag on all Government buildings on May 22 of each year.

May 22 of each year to be known as.

Display of flag.

Approved, May 20, 1933.

[CHAPTER 37.]

AN ACT

To confer the degree of bachelor of science upon graduates of the Naval, the _ Military, and the Coast Guard Academies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendents of the United States Naval Academy, the United States of Military Academy, and the United States Coast Guard Academy

Degree conferred upon graduates of. may, under such rules and regulations as the Secretary of the Navy, the Secretary of War, and the Secretary of the Treasury may prescribe, confer the degree of bachelor of science upon all graduates of their respective academies, from and after the date of the accrediting of said academies by the Association of American Universities.

Approved, May 25, 1933.

[CHAPTER 38.]

AN ACT

May 27, 1933. IH.R. 5480.1 [Public, No. 22.]

To provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes.

Securities Act of 1933. Post, p. 1026.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SHORT TITLE

Title cited.

Section 1. This title may be cited as the "Securities Act of 1933".

DEFINITIONS

Definitions.

SEC. 2. When used in this title, unless the context otherwise

requires

"Security."
Post, p 905.

(1) The term "security" means any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate, certificate of interest in property, tangible or intangible, or, in general, any instrument commonly known as a security, or any certificate of interest or participation in, temporary or interim certificate for, receipt for, or warrant or right to subscribe to or purchase, any of the foregoing.

(2) The term "person" means an individual, a corporation, a

"Person."

"Trust."

partnership, an association, a joint-stock company, a trust, any unincorporated organization, or a government or political subdivision thereof. As used in this paragraph the term "trust" shall include

other security.

only a trust where the interest or interests of the beneficiary or bene-

"Sale." etc.

ficiaries are evidenced by a security.

(3) The term "sale", "sell", "offer to sell", or "offer for sale" shall include every contract of sale or disposition of, attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest Preliminaries not in- in a security, for value; except that such terms shall not include preliminary negotiations or agreements between an issuer and any Security given with purchase considered part of subject. Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been sold for value. The issue or transfer of a right or privilege, when originally issued or transferred with a security, giving the holder of such security the right to convert such security into another security of the same issuer or of another person, or giving a right to subscribe to another security of the same issuer or of another person, which right cannot be exercised until some
when conversion future date, shall not be deemed to be a sale of such other security;
hit the issue or transfer of such other security; but the issue or transfer of such other security upon the exercise of

Issue of security with right to convert.

"Issuer."

(4) The term "issuer" means every person who issues or proposes to issue any security or who guarantees a security either as to principal or income; except that with respect to certificates of deposit, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors (or persons performing similar functions) or of the fixed, restricted management, or unit type, the

such right of conversion or subscription shall be deemed a sale of such

term "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which such Equipment trust securities are issued; and except that with respect to equipment-trust certificates or like securities, the term "issuer" means the person by whom the equipment or property is or is to be used.

(5) The term "Commission" means the Federal Trade Commis-

sion.

"Commission"

(6) The term "Territory" means Alaska, Hawaii, Puerto Rico, the Philippine Islands, Canal Zone, the Virgin Islands, and the

"Territory."

insular possessions of the United States.

(7) The term "interstate commerce" means trade or commerce "Interstate commerce." in securities or any transportation or communication relating thereto among the several States or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia.

"Registration state-

Columbia, or within the District of Columbia.

(8) The term "registration statement" means the statement proment."

*Registration of Columbia and Table 1 and Tabl vided for in section 6, and includes any amendment thereto and any report, document, or memorandum accompanying such statement or incorporated therein by reference.

(9) The term "write" or "written" shall include printed, litho- "Write" or "writ-

"Prospectus."

Exceptions.

graphed, or any means of graphic communication.

(10) The term "prospectus" means any prospectus, notice, circular, advertisement, letter, or communication. written or by radio, which offers any security for sale; except that (a) a communication shall not be deemed a prospectus if it is proved that prior to such communication a written prospectus meeting the requirements of section 10 was received, by the person to whom the communication was made, from the person making such communication or his principal, and (b) a notice, circular, advertisement, letter, or communication in respect of a security shall not be deemed to be a prospectus if it states from whom a written prospectus meeting the requirements

of section 10 may be obtained and, in addition, does no more than

Post, pp. 81, 905.

identify the security, state the price thereof, and state by whom orders will be executed.

"Underwriter."

(11) The term "underwriter" means any person who has purchased from an issuer with a view to, or sells for an issuer in connection with, the distribution of any security, or participates or has a direct or indirect participation in any such undertaking, or participates or has a participation in the direct or indirect underwriting of any such undertaking; but such term shall not include a person whose interest is limited to a commission from an underwriter or dealer not in excess of the usual and customary distributors' or sellers' commission. As used in this paragraph the term "issuer" shall include, in addition to an issuer, any person directly or indirectly controlling or controlled by the issuer, or any person under direct or indirect common control with the issuer.

Persons not included.

(12) The term "dealer" means any person who engages either for all or part of his time, directly or indirectly, as agent, broker, or principal, in the business of offering, buying, selling, or otherwise

"Issuer."

dealing or trading in securities issued by another person.

"Dealer."

EXEMPTED SECURITIES

SEC. 3. (a) Except as hereinafter expressly provided, the provities.

Securities. Exempted securities.

Securities. securities:

Prior sale.

New cluded. offering

Securities guaranteed by United States, State, or political sub-division, etc. Post, p. 906.

Current transactions. bank;

Short-term paper.

izations.

Post, p. 906.

Building and loan associations, etc., where business substantial confined to members

Exception.

Farmers' cooperatives. Vol. 47, pp. 193, 194.

Common carriers. Vol. 41, p. 494. U.S.C., p. 1670.

Certificates in bank-ruptcy proceedings.

Annuity contracts, etc. Post, p. 906.

classes Additional permitted.

(1) Any security which, prior to or within sixty days after the enactment of this title, has been sold or disposed of by the issuer or bona fide offered to the public, but this exemption shall not apply to any new offering of any such security by an issuer or underwriter

subsequent to such sixty days;

(2) Any security issued or guaranteed by the United States or any Territory thereof, or by the District of Columbia, or by any State of the United States, or by any political subdivision of a State or Territory, or by any public instrumentality of one or more States or Government corpo. Territories exercising an essential governmental function, or by any corporation created and controlled or supervised by and acting as an instrumentality of the Government of the United States pursuant to National, etc., banks. authority granted by the Congress of the United States, or by any national bank, or by any banking institution organized under the laws of any State or Territory, the business of which is substantially confined to banking and is supervised by the State or territorial banking Federal reserve bank commission or similar official; or any security issued by or repre-obligations. senting an interest in or a direct obligation of a Federal reserve

> (3) Any note, draft, bill of exchange, or banker's acceptance which arises out of a current transaction or the proceeds of which have been or are to be used for current transactions, and which has a maturity at the time of issuance of not exceeding nine months, exclusive of days of grace, or any renewal thereof the maturity of

Religious, etc., organ. which is likewise limited:

(4) Any security issued by a corporation organized and operated exclusively for religious, educational, benevolent, fraternal, charitable, or reformatory purposes and not for pecuniary profit, and no part of the net earnings of which inures to the benefit of any person,

private stockholder, or individual;

ons, etc., where substantially stead association, savings and loan association, or similar institution, substantially all the business of which is confined to the making of loans to members (but the foregoing exemption shall not apply with respect to any such security where the issuer takes from the total amount paid or deposited by the purchaser, by way of any fee, cash value or other device whatsoever, either upon termination of the investment at maturity or before maturity, an aggregate amount in excess of 3 per centum of the face value of such security), or any security issued by a farmers' cooperative association as defined in paragraphs (12), (13), and (14) of section 103 of the Revenue Act of 1932;

(6) Any security issued by a common carrier which is subject to the provisions of section 20a of the Interstate Commerce Act, as

amended;

(7) Certificates issued by a receiver or by a trustee in bankruptcy,

with the approval of the court;

(8) Any insurance or endowment policy or annuity contract or optional annuity contract, issued by a corporation subject to the supervision of the insurance commissioner, bank commissioner, or any agency or officer performing like functions, of any State or Territory of the United States or the District of Columbia.

(b) The Commission may from time to time by its rules and regulations, and subject to such terms and conditions as may be prescribed therein, add any class of securities to the securities exempted as provided in this section, if it finds that the enforcement of this title with respect to such securities is not necessary in the public interest and for the protection of investors by reason of the small amount

involved or the limited character of the public offering; but no issue of securities shall be exempted under this subsection where the aggregate amount at which such issue is offered to the public exceeds \$100,000.

EXEMPTED TRANSACTIONS

Sec. 4. The provisions of section 5 shall not apply to any of the Exempted transactions.

following transactions:

(1) Transactions by any person other than an issuer, underwriter, or dealer; transactions by an issuer not with or through an underwriter and not involving any public offering; or transactions by a dealer (including an underwriter no longer acting as an underwriter in respect of the security involved in such transaction), except transactions within one year after the last date upon which the security was bona fide offered to the public by the issuer or by or through an underwriter (excluding in the computation of such year any time during which a stop order issued under section 8 is in effect as to the security), and except transactions as to securities constituting the whole or a part of an unsold allotment to or subscription by such dealer as a participant in the distribution of such securities by the issuer or by or through an underwriter.

(2) Brokers' transactions, executed upon customers' orders on any Brokers' transacexchange or in the open or counter market, but not the solicitation

of such orders.

(3) The issuance of a security of a person exchanged by it with Issuance of securities its existing security holders exclusively, where no commission or holders, creditors, etc. other remuneration is paid or given directly or indirectly in connection with such exchange; or the issuance of securities to the existing security holders or other existing creditors of a corporation in the process of a bona fide reorganization of such corporation under the supervision of any court, either in exchange for the securities of such security holders or claims of such creditors or partly for cash and partly in exchange for the securities or claims of such security holders or creditors.

By individuals. Post, p. 906.

Post. p. 79.

PROHIBITIONS RELATING TO INTERSTATE COMMERCE AND THE MAILS

Sec. 5. (a) Unless a registration statement is in effect as to a security, it shall be unlawful for any person, directly or indirectly—and the mails.

(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell or offer to buy such security through the use or medium of any prospectus or otherwise; or

(2) to carry or cause to be carried through the mails or in Transporting such interstate commerce, by any means or instruments of transportadelivery after sale. tion, any such security for the purpose of sale or for delivery

after sale.

(b) It shall be unlawful for any person, directly or indirectly-

or communication in interstate commerce or of the mails to to registered security. carry or transmit any prospectus relating to any security registered under this title, unless such prospectus meets the requirements of section 10; or

(2) to carry or to cause to be carried through the mails or in interstate commerce any such security for the purpose of sale or for delivery after sale, unless accompanied or preceded by a prospectus that meets the requirements of section 10.

(c) The provisions of this section relating to the use of the mails cluded shall not apply to the sale of any security where the issue of which

Unlawful to transmit.

Post, p. 81.

Intrastate sales ex-

it is a part is sold only to persons resident within a single State or Territory, where the issuer of such securities is a person resident and doing business within, or, if a corporation, incorporated by and doing business within, such State or Territory.

REGISTRATION OF SECURITIES AND SIGNING OF REGISTRATION STATEMENT

Registration of securities and signing of registration statement.

Foreign or Territorial person.

Signatures.

Unauthorized ing.

Filing fee.

Registration state-ment effective on filing,

Availability of regis-ration information.

Not operative first 40

SEC. 6. (a) Any security may be registered with the Commission under the terms and conditions hereinafter provided, by filing a registration statement in triplicate, at least one of which shall be signed by each issuer, its principal executive officer or officers, its principal financial officer, its comptroller or principal accounting officer, and the majority of its board of directors or persons performing similar functions (or, if there is no board of directors or persons performing similar functions, by the majority of the persons or board having the power of management of the issuer), and in case the issuer is a foreign or Territorial person by its duly authorized representative in the United States; except that when such registration statement relates to a security issued by a foreign government, or political subdivision thereof, it need be signed only by the underwriter of such security. Signatures of all such persons when written on the said registration statements shall be presumed to have been so written by authority of the person whose signature is so affixed and the burden of proof, in the event such authority shall be denied, shall be upon the party denying the same. The affixing of any signature without the authority of the purported signer shall constitute a violation of this title. A registration statement shall be deemed effective only as to the securities specified therein as proposed to be offered.

(b) At the time of filing a registration statement the applicant shall pay to the Commission a fee of one one-hundredth of 1 per centum of the maximum aggregate price at which such securities are proposed to be offered, but in no case shall such fee be less than \$25.

(c) The filing with the Commission of a registration statement, or

of an amendment to a registration statement, shall be deemed to have taken place upon the receipt thereof, but the filing of a registration statement shall not be deemed to have taken place unless it is accompanied by a United States postal money order or a certified bank check or cash for the amount of the fee required under subsection (b).

(d) The information contained in or filed with any registration

statement shall be made available to the public under such regulations as the Commission may prescribe, and copies thereof, photostatic or otherwise, shall be furnished to every applicant at such reasonable charge as the Commission may prescribe.

(e) No registration statement may be filed within the first forty days following the enactment of this Act.

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Information quired: Schedules.

Post. p 88.

Foreign government securities.

Post. p. 91.

SEC. 7. The registration statement, when relating to a security other than a security issued by a foreign government, or political subdivision thereof, shall contain the information, and be accompanied by the documents, specified in Schedule A, and when relating to a security issued by a foreign government, or political subdivision thereof, shall contain the information, and be accompanied by the Optional, in certain documents, specified in Schedule B; except that the Commission may by rules or regulations provide that any such information or document need not be included in respect of any class of issuers or securities if it finds that the requirement of such information or document is inemplicable to such aleas and that displacement fully document is inapplicable to such class and that disclosure fully adequate for the protection of investors is otherwise required to be

included within the registration statement. If any accountant, Professional stateengineer, or appraiser, or any person whose profession gives authority to a statement made by him, is named as having prepared or certified any part of the registration statement, or is named as having prepared or certified a report or valuation for use in connection with the registration statement, the written consent of such person shall be filed with the registration statement. If any such written consent to use, required. person is named as having prepared or certified a report or valuation (other than a public official document or statement) which is used in connection with the registration statement, but is not named as having prepared or certified such report or valuation for use in connection with the registration statement, the written consent of such person shall be filed with the registration statement unless the Commission dispenses with such filing as impracticable or as involving undue hardship on the person filing the registration statement.

Any such registration statement shall contain such other infortion, etc.

mation, and be accompanied by such other documents, as the Commission may by rules or regulations require as being necessary or appropriate in the public interest or for the protection of investors.

TAKING EFFECT OF REGISTRATION STATEMENTS AND AMENDMENTS THERETO

Registration state-ments and amend-ments thereto.

Effective date.

Foreign securities.

Sec. 8. (a) The effective date of a registration statement shall be the twentieth day after the filing thereof, except as hereinafter provided, and except that in case of securities of any foreign public authority, which has continued the full service of its obligations in the United States, the proceeds of which are to be devoted to the refunding of obligations payable in the United States, the registration statement shall become effective seven days after the filing thereof. If any amendment to any such statement is filed prior to the effective date of such statement, the registration statement shall be deemed to have been filed when such amendment was filed; except that an amendment filed with the consent of the Commission, prior to the effective date of the registration statement, or filed pursuant to an order of the Commission, shall be treated as a part of the registration statement.

(b) If it appears to the Commission that a registration statement Incomplete or inaccurate statements. is on its face incomplete or inaccurate in any material respect, the Commission may, after notice by personal service or the sending of Opportunity to confirmed telegraphic notice not later than ten days after the filing of the registration statement, and opportunity for hearing (at a time fixed by the Commission) within ten days after such notice by personal service or the sending of such telegraphic notice, issue an order prior to the effective date of registration refusing to permit such statement to become effective until it has been amended in Effective date of accordance with such order. When such statement has been amended in accordance with such order the Commission shall so declare and the registration shall become effective at the time provided in subsection (a) or upon the date of such declaration, whichever date is the later.

Amendment filed

Determination of

(c) An amendment filed after the effective date of the registration statement, if such amendment, upon its face, appears to the Com- after effective date. mission not to be incomplete or inaccurate in any material respect, Determination shall become effective on such date as the Commission may deter-date, if not defective. mine, having due regard to the public interest and the protection of investors.

(d) If it appears to the Commission at any time that the registra- Stop order provisions. tion statement includes any untrue statement of a material fact or

Notice.

omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, the Commission may, after notice by personal service or the sending of confirmed telegraphic notice, and after opportunity for hearing (at a time fixed by the Commission) within fifteen days after such notice by personal service or the sending of such telegraphic notice, issue a stop order suspending the effectiveness of the registration statement. When such statement has been amended in accordance with such stop order the Commission shall so declare and thereupon the stop order shall cease to be effective.

Investigations authorized.

Powers of Commission

(e) The Commission is hereby empowered to make an examination in any case in order to determine whether a stop order should issue under subsection (d). In making such examination the Commission or any officer or officers designated by it shall have access to and may demand the production of any books and papers of, and may administer oaths and affirmations to and examine, the issuer, underwriter, or any other person, in respect of any matter relevant to the examination, and may, in its discretion, require the production of a balance sheet exhibiting the assets and liabilities of the issuer, or its income statement, or both, to be certified to by a public or certified accountant approved by the Commission. If the issuer or underwriter shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of a stop order.

Service of notice.

Grounds for issuance

(f) Any notice required under this section shall be sent to or served on the issuer, or, in case of a foreign government or political subdivision thereof, to or on the underwriter, or, in the case of a foreign or Territorial person, to or on its duly authorized representative in the United States named in the registration statement, properly directed in each case of telegraphic notice to the address given

in such statement.

Court review of Com-

COURT REVIEW OF ORDERS

mission's orders.

Petition allowed to appropriate circuit court of appeals, etc.

Copy thereof to Commission.

Proceedings and evidence.

Sec. 9. (a) Any person aggrieved by an order of the Commission may obtain a review of such order in the Circuit Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the Court of Appeals of the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or be set aside in whole or in A copy of such petition shall be forthwith served upon the Commission, and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission. The finding of the Commission as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The jurisdiction of the court shall be exclusive and its judgment and decree, affirming, modifying, or setting aside, in whole or in part, any order of the Commission, shall be final, subject to review by the Supreme Court of the United preme Court. to Su-States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U.S.C., title 28, secs. 346 and 347).

(b) The commencement of proceedings under subsection (a) shall not stayed. not, unless specifically ordered by the court, operate as a stay of the

Commission's order.

Jurisdiction of court.

U.S.C., p. 906.

INFORMATION REQUIRED IN PROSPECTUS

Sec. 10. (a) A prospectus—

1) when relating to a security other than a security issued by a foreign government or political subdivision thereof, shall contain the same statements made in the registration statement, but it need not include the documents referred to in paragraphs (28) to (32), inclusive, of Schedule A;

(2) when relating to a security issued by a foreign government or political subdivision thereof shall contain the same statements made in the registration statement, but it need not include the documents referred to in paragraphs (13) and (14)

of Schedule B.

(b) Notwithstanding the provisions of subsection (a)-

(1) when a prospectus is used more than thirteen months after Statement in prospectus used more than the effective date of the registration statement, the information 13 months. in the statements contained therein shall be as of a date not more than twelve months prior to such use.

(2) there may be omitted from any prospectus any of the be omitted. Statements that may statements required under such subsection (a) which the Commission may by rules or regulations designate as not being necessary or appropriate in the public interest or for the protection

of investors.

(3) any prospectus shall contain such other information as the tion required. Commission may by rules or regulations require as being necessary or appropriate in the public interest or for the protection of investors.

(4) in the exercise of its powers under paragraphs (2) and prospectuses.
(3) of this subsection, the Commission shall have authority to classify prospectuses according to the nature and circumstances of their use, and, by rules and regulations and subject to such terms and conditions as it shall specify therein, to prescribe as Regulations governto each class the form and contents which it may find appropriate to such use and consistent with the public interest and the protection of investors.

(c) The statements or information required to be included in a Printing requirement. prospectus by or under authority of subsection (a) or (b), when written, shall be placed in a conspicuous part of the prospectus in type as large as that used generally in the body of the prospectus.

(d) In any case where a prospectus consists of a radio broadcast, copies thereof shall be filed with the Commission under such rules and regulations as it shall prescribe. The Commission may by rules and regulations require the filing with it of forms of prospectuses used in connection with the sale of securities registered under this title.

Information required

Domestic securities.

Post, p. 91.

Foreign government,

Post, p. 92.

Post, p. 906.

Radio broadcasts. Copies to be filed.

CIVIL LIABILITIES ON ACCOUNT OF FALSE REGISTRATION STATEMENT

Civil liabilities for false registration statement.

Post, p 907.

Responsibility of signator. Director, partner, etc.

Prospective director, partner, etc.

Accountant's, etc.,

Underwriter to such security.
Exemption, if burden of proof sustained.

Resignation, etc., be-fore effective date of statement.

Notification to Commission, etc., accordingly.

Advised commission of false statement.

Public notice, additional.

Belief in probity of statements, not expert,

No material fact omitted.

Statement made as expert true

Sec. 11. (a) In case any part of the registration statement, when such part became effective, contained an untrue statement of a material fact or omitted to state a material fact required to be stated therein or necessary to make the statements therein not misleading, any person acquiring such security (unless it is proved that at the time of such acquisition he knew of such untruth or omission) may, either at law or in equity, in any court of competent jurisdiction,

1) every person who signed the registration statement:

(2) every person who was a director of (or person performing similar functions) or partner in, the issuer at the time of the filing of the part of the registration statement with respect to which his liability is asserted;

(3) every person who, with his consent, is named in the registration statement as being or about to become a director,

person performing similar functions, or partner;

(4) every accountant, engineer, or appraiser, or any person whose profession gives authority to a statement made by him, who has with his consent been named as having prepared or certified any part of the registration statement, or as having prepared or certified any report or valuation which is used in connection with the registration statement, with respect to the statement in such registration statement, report, or valuation, which purports to have been prepared or certified by him;

(5) every underwriter with respect to such security.

(b) Notwithstanding the provisions of subsection (a) no person, other than the issuer, shall be liable as provided therein who shall

sustain the burden of proof-

(1) that before the effective date of the part of the registration statement with respect to which his liability is asserted (A) he had resigned from or had taken such steps as are permitted by law to resign from, or ceased or refused to act in, every office, capacity, or relationship in which he was described in the registration statement as acting or agreeing to act, and (B) he had advised the Commission and the issuer in writing that he had taken such action and that he would not be responsible for such part of the registration statement; or

(2) that if such part of the registration statement became effective without his knowledge, upon becoming aware of such fact he forthwith acted and advised the Commission, in accordance with paragraph (1), and, in addition, gave reasonable public notice that such part of the registration statement had

become effective without his knowledge; or
(3) that (A) as regards any part of the registration statement not purporting to be made on the authority of an expert, and not purporting to be a copy of or extract from a report or valuation of an expert, and not purporting to be made on the authority of a public official document or statement, he had, after reasonable investigation, reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading; and (B) as regards any part of the registration statement purporting to be made upon his authority as an expert or purporting to be a copy of or extract from a report or valuation of himself as an expert, (i) he had, after reasonable investigation, reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or leading statements. necessary to make the statements therein not misleading, or represent his statement as an expert or was not a fair copy mentat variance, etc. of or extract from his research (ii) such part of the registration statement did not fairly of or extract from his report or valuation as an expert; and (C) as regards any part of the registration statement purporting to be made on the authority of an expert (other than himself) or purporting to be a copy of or extract from a report or valuation of an expert (other than himself), he had reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, and that such part of the registration statement fairly represented the statement of the expert or was a fair copy of or extract from the report or valuation of the expert; and (D) as regards any part of the registration statement purporting to be a statement made documents.

Post, p. 907. by an official person or purporting to be a copy of or extract from a public official document, he had reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true, and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, and that such part of the registration statement fairly represented the statement made by the official person or was a fair copy of or extract from the public official document.

(c) In determining, for the purpose of paragraph (3) of sub-Reasonable investigation or ground for section (b) of this section, what constitutes reasonable investigation and reasonable ground for belief, the standard of reasonableness shall be that required of a person occupying a fiduciary

relationship.

(d) If any person becomes an underwriter with respect to the writer after liability security after the part of the registration statement with respect to attaches. which his liability is asserted has become effective, then for the purposes of paragraph (3) of subsection (b) of this section such part of the registration statement shall be considered as having become effective with respect to such person as of the time when he became an underwriter.

(e) The suit authorized under subsection (a) may be either (1) herein. to recover the consideration paid for such security with interest thereon, less the amount of any income received thereon, upon the tender of such security, or (2) for damages if the person suing no

longer owns the security.

(f) All or any one or more of the persons specified in subsection several several shall be jointly and severally liable, and every person who becomes liable to make any payment under this section may recover contribution as in cases of contract from any person who, if sued separately, would have been liable to make the same payment, unless the person who has become liable was, and the other was not, guilty of fraudulent misrepresentation.

(g) In no case shall the amount recoverable under this section exceed the price at which the security was offered to the public.

state-

Statement of expert (other than himself).

Post, p. 907

Public officials or

Suits authorized Security paymen! Post, p. 907.

Damages.

Contribution.

Exception.

Recovery limitation.

Sales through inter-state commerce and mails.

Ante, p. 77.
Through false prospectuses, etc.
Ante, p. 75.

Civil liabilities connected with prospectuses and communications.

COMMUNICATIONS

COMMUNICATIONS

Sec. 12. Any person who-

(1) sells a security in violation of section 5, or

(2) sells a security (whether or not exempted by the provisions of section 3, other than paragraph (2) of subsection (a) thereof), by the use of any means or instruments of transportation or communication in interstate commerce or of the mails, by means of a prospectus or oral communication, which includes an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements, in the light of the circumstances under which they were made, not misleading (the purchaser not knowing of such untruth or omission), and who shall not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of such untruth or omission,

chaser.

Recovery by pur-shall be liable to the person purchasing such security from him, who may sue either at law or in equity in any court of competent jurisdiction, to recover the consideration paid for such security with interest thereon, less the amount of any income received thereon, upon the tender of such security, or for damages if he no longer owns the security.

LIMITATION OF ACTIONS

Limitation of actions.

Post, p. 908.

SEC. 13. No action shall be maintained to enforce any liability created under section 11 or section 12 (2) unless brought within two years after the discovery of the untrue statement or the omission, or after such discovery should have been made by the exercise of reasonable diligence, or, if the action is to enforce a liability created under section 12 (1), unless brought within two years after the violation upon which it is based. In no event shall any such action be brought to enforce a liability created under section 11 or section 12 (1) more than ten years after the security was bona fide offered to the public.

CONTRARY STIPULATIONS VOID

Contrary stipulations

SEC. 14. Any condition, stipulation, or provision binding any person acquiring any security to waive compliance with any provision of this title or of the rules and regulations of the Commission shall be void.

LIABILITY OF CONTROLLING PERSONS

Liability of controlling persons.

Post, p. 908.

Sec. 15. Every person who, by or through stock ownership, agency, or otherwise, or who, pursuant to or in connection with an agreement or understanding with one or more other persons by or through stock ownership, agency, or otherwise, controls any person liable under section 11 or 12, shall also be liable jointly and severally with and to the same extent as such controlled person to any person to whom such controlled person is liable.

ADDITIONAL REMEDIES

Remedies to be additional to existing rights, etc.

SEC. 16. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies that may exist at law or in equity.

FRAUDULENT INTERSTATE TRANSACTIONS

Fraudulent interstate transactions.

Sec. 17. (a) It shall be unlawful for any person in the sale of any securities by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, directly or indirectly-

1) to employ any device, scheme, or artifice to defraud, or

(2) to obtain money or property by means of any untrue transactions, etc. statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not mislead-

(3) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon

the purchaser.

or instruments of transportation or communication in interstate ment of securities. (b) It shall be unlawful for any person, by the use of any means commerce or by the use of the mails, to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale, describes such security for a consideration received or to be received, directly or indirectly, from an issuer, underwriter, or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount be disclosed.

(c) The exemptions provided in section 3 shall not apply to the provisions of this section.

STATE CONTROL OF SECURITIES

SEC. 18. Nothing in this title shall affect the jurisdiction of the securities commission (or any agency or office performing like functions) of any State or Territory of the United States, or the District of Columbia, over any security or any person.

SPECIAL POWERS OF COMMISSION

SEC. 19. (a) The Commission shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this title, including rules and regulations governing registration statements and prospectuses for various classes of securities and issuers, and defining accounting ments and tuses. and trade terms used in this title. Among other things, the Commission shall have authority, for the purposes of this title, to prescribe the form or forms in which required information shall be set forth, the items or details to be shown in the balance sheet and earning statement, and the methods to be followed in the preparation of accounts, in the appraisal or valuation of assets and liabilities, in the determination of depreciation and depletion, in the differentiation of recurring and nonrecurring income, in the differentiation of investment and operating income, and in the preparation, where the Commission deems it necessary or desirable, of consolidated balance sheets or income accounts of any person directly or indirectly controlling or controlled by the issuer, or any person under direct or indirect common control with the issuer; but insofar as they relate to any common carrier subject to the provisions of section 20 of the Interstate Commerce Act, as amended, the rules and regulations of the Commission with respect to accounts shall not be inconsistent with p. 1668. the requirements imposed by the Interstate Commerce Commission under authority of such section 20. The rules and regulations of the Rules eff Commission shall be effective upon publication in the manner which the Commission shall prescribe.

the Commission, are necessary and proper for the enforcement of of books, etc. this title, any member of the Commission or any officer or officers

Unlawful practices

Receipt of consider-ation and amount to

Exempted securities. Ante, p. 75.

State control of securitie Jurisdiction of com-

Special powers of Commission. Prescribe regula-Post, p. 908.

Registration stateprospec-

Prescribe forms.

Common carrier.

Rules affecting Vol. 24, p. 386; U.S.C.,

effective on

designated by it are empowered to administer oaths and affirmations, subpena witnesses, take evidence, and require the production of any books, papers, or other documents which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States or any Territory at any designated place of hearing.

Injunctions and pros-ecution of offenses,

INJUNCTIONS AND PROSECUTION OF OFFENSES

Investigations

Sec. 20. (a) Whenever it shall appear to the Commission, either upon complaint or otherwise, that the provisions of this title, or of any rule or regulation prescribed under authority thereof, have been or are about to be violated, it may, in its discretion, either require or permit such person to file with it a statement in writing, under oath, or otherwise, as to all the facts and circumstances concerning the subject matter which it believes to be in the public interest to investigate, and may investigate such facts.

Injunctions.

(b) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this title, or of any rule or regulation prescribed under authority thereof, it may in its discretion, bring an action in any district court of the United States, United States court of any Territory, or the Supreme Court of the District of Columbia to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or Evidence to Attorney restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General who may, in his discretion, institute the necessary criminal proceedings under this title. Any such criminal proceeding may be brought either in the district wherein the transmittal of the prospectus or security complained of begins, or in the district wherein such prospectus or security is

Venue.

received. (c) Upon application of the Commission the district courts of the United States, the United States courts of any Territory, and the Supreme Court of the District of Columbia, shall also have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this title or any order of the Commission made in pursuance thereof.

Jurisdiction of dis-ict court to issue trict court to iss writs of mandamus.

HEARINGS BY COMMISSION

Hearings by Com-

SEC. 21. All hearings shall be public and may be held before the Commission or an officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

JURISDICTION OF OFFENSES AND SUITS

Jurisdiction of of-fenses and suits.

Sec. 22. (a) The district courts of the United States, the United States courts of any Territory, and the Supreme Court of the District of Columbia shall have jurisdiction of offenses and violations under this title and under the rules and regulations promulgated by the Commission in respect thereto, and, concurrent with State and Territorial courts, of all suits in equity and actions at law brought to enforce any liability or duty created by this title. Any such suit or action may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, or in the district where the sale took place, if the defendant participated therein, and process in such cases may be served in any other district of which the defendant

Service of process.

is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided VI S.C. vol. 36, pp. 1133, 1157. U.S.C., pp. 895, 996. in sections 128 and 240 of the Judicial Code, as amended (U.S.C., title 28, secs. 225 and 347). No case arising under this title and brought in any State court of competent jurisdiction shall be removed to any court of the United States. No costs shall be assessed against Commission. for or against the Commission in any proceeding under this title brought by or against it in the Supreme Court or such other courts.

(b) In case of contumacy or refusal to obey a subpena issued to Punishment for dis any person, any of the said United States courts, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides, upon application by the Commission may issue to such person an order requiring such person to appear before the Commission, or one of its examiners designated by it, there to produce documentary evidence if so ordered, or there to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(c) No person shall be excused from attending and testifying or No person excused from testifying, etc. from producing books, papers, contracts, agreements, and other documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him, may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Punishment for dis-

Personal immunity.

Periury.

UNLAWFUL REPRESENTATIONS

SEC. 23. Neither the fact that the registration statement for a Unlawful representasecurity has been filed or is in effect nor the fact that a stop order is not in effect with respect thereto shall be deemed a finding by the Commission that the registration statement is true and accurate on its face or that it does not contain an untrue statement of fact or omit to state a material fact, or be held to mean that the Commission has in any way passed upon the merits of, or given approval to, such security. It shall be unlawful to make, or cause to be made, to any prospective purchaser any representation contrary to the foregoing provisions of this section.

PENALTIES

SEC. 24. Any person who willfully violates any of the provisions of this title, or the rules and regulations promulgated by the Commission under authority thereof, or any person who willfully, in a registration statement filed under this title, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than \$5,000 or imprisoned not more than five years, or both.

Penalties.

JURISDICTION OF OTHER GOVERNMENT AGENCIES OVER SECURITIES

SEC. 25. Nothing in this title shall relieve any person from sub- Jurisdiction of other mitting to the respective supervisory units of the Government of not impaired.

the United States information, reports, or other documents that are now or may hereafter be required by any provision of law.

SEPARABILITY OF PROVISIONS

Separability of pro-

SEC. 26. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Schedule A. Information to be SCHEDULE A

included. Name of issuer.

(1) The name under which the issuer is doing or intends to do business;

State, etc.

(2) the name of the State or other sovereign power under which the issuer is organized;

Location of issuer's (3) the location of the issuer's principal pusiness onice, and it the business office.

United States agenissuer is a foreign or territorial person, the name and address

The industrial States authorized to receive notice: of its agent in the United States authorized to receive notice;

Names and addresses of corporation directors, partners, etc.

(4) the names and addresses of the directors or persons performing similar functions, and the chief executive, financial and accounting officers, chosen or to be chosen if the issuer be a corporation, association, trust, or other entity; of all partners, if the issuer be a partnership; and of the issuer, if the issuer be an individual; and of the promoters in the case of a business to be formed, or formed within two years prior to the filing of the registration statement;

Underwriters. Stockholders.

(5) the names and addresses of the underwriters;

(6) the names and addresses of all persons, if any, owning of record or beneficially, if known, more than 10 per centum of any class of stock of the issuer, or more than 10 per centum in the aggregate of the outstanding stock of the issuer as of a date within twenty

Schedule of securi-

Character of busi-

Capitalization, etc.

days prior to the filing of the registration statement;
(7) the amount of securities of the issuer held by any person specified in paragraphs (4), (5), and (6) of this schedule, as of a date within twenty days prior to the filing of the registration statement, and, if possible, as of one year prior thereto, and the amount of the securities, for which the registration statement is filed, to which such persons have indicated their intention to subscribe;

(8) the general character of the business actually transacted or

to be transacted by the issuer;

(9) a statement of the capitalization of the issuer, including the authorized and outstanding amounts of its capital stock and the proportion thereof paid up, the number and classes of shares in which such capital stock is divided, par value thereof, or if it has no par value, the stated or assigned value thereof, a description of the respective voting rights, preferences, conversion and exchange rights, rights to dividends, profits, or capital of each class, with respect to each other class, including the retirement and liquidation rights or values thereof:

Outstanding options.

(10) a statement of the securities, if any, covered by options outstanding or to be created in connection with the security to be offered, together with the names and addresses of all persons, if any, to be allotted more than 10 per centum in the aggregate of such options;

(11) the amount of capital stock of each class issued or included

Capital stock.

in the shares of stock to be offered;

Funded debt. etc.

(12) the amount of the funded debt outstanding and to be created by the security to be offered, with a brief description of the date, maturity, and character of such debt, rate of interest, character of amortization provisions, and the security, if any, therefor. If substitution of any security is permissible, a summarized statement of

Statement, if substitution permitted.

the conditions under which such substitution is permitted. If substitution is permissible without notice, a specific statement to that

(13) the specific purposes in detail and the approximate amounts Detailed and purposes. to be devoted to such purposes, so far as determinable, for which the security to be offered is to supply funds, and if the funds are to be raised in part from other sources, the amounts thereof and the sources thereof, shall be stated;

(14) the remuneration, paid or estimated to be paid, by the issuer Remuneration paid or its predecessor, directly or indirectly, during the past year and directors, officers, etc. ensuing year to (a) the directors or persons performing similar functions, and (b) its officers and other persons, naming them wherever such remuneration exceeded \$25,000 during any such year;

(15) the estimated net proceeds to be derived from the security eeeds.

to be offered;

(16) the price at which it is proposed that the security shall be to public, etc. offered to the public or the method by which such price is computed and any variation therefrom at which any portion of such security is proposed to be offered to any persons or classes of persons, other than the underwriters, naming them or specifying the class. A variation in price may be proposed prior to the date of the public offering of the security, but the Commission shall immediately be

notified of such variation;

(17) all commissions or discounts paid or to be paid, directly counts, etc. or indirectly, by the issuer to the underwriters in respect of the sale of the security to be offered. Commissions shall include all cash, securities, contracts, or anything else of value, paid, to be set aside, disposed of, or understandings with or for the benefit of any other persons in which any underwriter is interested, made, in connection with the sale of such security. A commission paid or to be paid in connection with the sale of such security by a person in which the issuer has an interest or which is controlled or directed by, or under common control with, the issuer shall be deemed to have been paid by the issuer. Where any such commission is paid the amount of such commission paid to each underwriter shall be stated;

(18) the amount or estimated amounts, itemized in reasonable detail, of expenses, other than commissions specified in paragraph (17) of this schedule, incurred or borne by or for the account of the issuer in connection with the sale of the security to be offered or properly chargeable thereto, including legal, engineering, cer-

tification, authentication, and other charges;

(19) the net proceeds derived from any security sold by the issuer Net proceeds from previous sales. during the two years preceding the filing of the registration statement, the price at which such security was offered to the public, and the names of the principal underwriters of such security;

(20) any amount paid within two years preceding the filing of Pay the registration statement or intended to be paid to any promoter

and the consideration for any such payment;

(21) the names and addresses of the vendors and the purchase Vendors, names, addresses, purchase price price of any property, or good will, acquired or to be acquired, not of property, etc. in the ordinary course of business, which is to be defrayed in whole or in part from the proceeds of the security to be offered, the amount of any commission payable to any person in connection with such acquisition, and the name or names of such person or persons, together with any expense incurred or to be incurred in connection with such acquisition, including the cost of borrowing money to finance such acquisition;

Detailed amounts

Variation to be reported to Commission.

Other expenses.

Payment to pro-

Cost of financing.

Names, etc., of counsel.

Material contracts, not made in ordinary business.

Interest of every stockholder holding more than 10 per cent any, of every director, principal executive officer, and of every stock-of any class. holder holding more than 10 per centum of any class of stock or more than 10 per centum in the aggregate of the stock of the issuer, in any property acquired, not in the ordinary course of business of the issuer, within two years preceding the filing of the registra-tion statement or proposed to be acquired at such date;
(23) the names and addresses of counsel who have passed on the

legality of the issue:

(24) dates of and parties to, and the general effect concisely stated of every material contract made, not in the ordinary course of business, which contract is to be executed in whole or in part at or after the filing of the registration statement or which contract has been made not more than two years before such filing. Any Management con-tract, special bonuses, or profit sharing, etc., deemed material conmanagement contract or contract providing for special bonuses or profit-sharing arrangements, and every material patent or contract for a material patent right, and every contract by or with a public utility company or an affiliate thereof, providing for the giving or receiving of technical or financial advice or service (if such contract may involve a charge to any party thereto at a rate in excess of \$2,500 per year in cash or securities or anything else of value), shall be deemed a material contract;

Balance sheets. Contents.

(25) a balance sheet as of a date not more than ninety days prior to the date of the filing of the registration statement showing all of the assets of the issuer, the nature and cost thereof, whenever determinable, in such detail and in such form as the Commission shall prescribe (with intangible items segregated), including any loan in excess of \$20,000 to any officer, director, stockholder or person directly or indirectly controlling or controlled by the issuer, or person under direct or indirect common control with the issuer. All the liabilities of the issuer in such detail and such form as the Commission shall prescribe, including surplus of the issuer showing how and from what sources such surplus was created, all as of a date not more than ninety days prior to the filing of the registration state-Certificate of public ment. If such statement be not certified by an independent public or certified accountant, in addition to the balance sheet required to be submitted under this schedule, a similar detailed balance sheet of the assets and liabilities of the issuer, certified by an independent public or certified accountant, of a date not more than one year prior to the filing of the registration statement, shall be submitted;

Profit and loss statement.

(26) a profit and loss statement of the issuer showing earnings and income, the nature and source thereof, and the expenses and fixed charges in such detail and such form as the Commission shall prescribe for the latest fiscal year for which such statement is available and for the two preceding fiscal years, year by year, or, if such issuer has been in actual business for less than three years, then for such time as the issuer has been in actual business, year by year. If the date of the filing of the registration statement is more than six months after the close of the last fiscal year, a statement from such closing date to the latest practicable date. Such statement shall show what the practice of the issuer has been during the three years or lesser period as to the character of the charges, dividends or other distributions made against its various surplus accounts, and as to depreciation, depletion, and maintenance charges, in such detail and form as the Commission shall prescribe, and if stock dividends or avails from the sale of rights have been credited to income, they shall be shown separately with a statement of the basis upon which the credit is computed. Such statement shall also differentiate

between any recurring and nonrecurring income and between any investment and operating income. Such statement shall be certified accountant.

by an independent public or certified accountant;

(27) if the proceeds, or any part of the proceeds, of the security to be issued is to be applied directly or indirectly to the purchase any business, a profit and loss statement of such business certified ment of such business to issue. by an independent public or certified accountant, meeting the requirements of paragraph (26) of this schedule, for the three preceding fiscal years, together with a balance sheet, similarly certified, of such business, meeting the requirements of paragraph (25) of this schedule of a date not more than ninety days prior to the filing of the registration statement or at the date such business was acquired by the issuer if the business was acquired by the issuer more than ninety days prior to the filing of the registration statement;

(28) a copy of any agreement or agreements (or, if identic agreeunderwriter in underwriter in underwriter. ments are used, the forms thereof) made with any underwriter, including all contracts and agreements referred to in paragraph (17)

of this schedule:

(29) a copy of the opinion or opinions of counsel in respect to the counsel's opinion as to legality of issue. legality of the issue, with a translation of such opinion, when neces-

sary, into the English language;

(30) a copy of all material contracts referred to in paragraph contracts; restriction. (24) of this schedule, but no disclosure shall be required of any portion of any such contract if the Commission determines that disclosure of such portion would impair the value of the contract and would not be necessary for the protection of the investors;

(31) unless previously filed and registered under the provisions Copy of articles of incorporation, etc. of this title, and brought up to date, (a) a copy of its articles of incorporation, with all amendments thereof and of its existing bylaws or instruments corresponding thereto, whatever the name, if the issuer be a corporation; (b) copy of all instruments by which the trust is created or declared, if the issuer is a trust; (c) a copy of its articles of partnership or association and all other papers pertaining to its organization, if the issuer is a partnership, unincorporated association, joint-stock company, or any other form of organization; and

(32) a copy of the underlying agreements or indentures affecting Copy of underlying affecting indentures affecting

any stock, bonds, or debentures offered or to be offered.

In case of certificates of deposit, voting trust certificates, collateral trust certificates, certificates of interest or shares in unincorporated investment trusts, equipment trust certificates, interim or other receipts for certificates, and like securities, the Commission shall establish rules and regulations requiring the submission of information of a like character applicable to such cases, together with such other information as it may deem appropriate and necessary regarding the character, financial or otherwise, of the actual issuer of the securities and/or the person performing the acts and assuming the duties of depositor or manager.

SCHEDULE B

(1) Name of borrowing government or subdivision thereof;
(2) specific purposes in detail and the approximate amounts to be devoted to such purposes, so far as determinable, for which the scurity offered is to security to be offered is to supply funds, and if the funds are to be supply funds. raised in part from other sources, the amounts thereof and the sources thereof, shall be stated;

stock, etc.

Rules and regulations to be established.

Schedule B.

Funded and floating debts.

Whether issuer has defaulted, etc.

Intergovernmental debts excluded.

Receipts and expenses, in detail.

Names, etc., of underwriters.
United States agent.

Estimated net proceeds from sales in United States.

Price.

Commissions paid.

Other expenses

Names, etc., of coun-sel.

Copy of any under-writer's agreement as to United States sales.

Counsel's opinion as to legality of issue.

Corporation of For-eign Bondholders, 1933 "Corporation of For-eign Security Holders"

created.

(3) the amount of the funded debt and the estimated amount of the floating debt outstanding and to be created by the security to be offered, excluding intergovernmental debt, and a brief description of the date, maturity, character of such debt, rate of interest, charac-Substitution conditer of amortization provisions, and the security, if any, therefor. If substitution of any security is permissible, a statement of the conditions under which such substitution is permitted. If substitution is permissible without notice, a specific statement to that effect

(4) whether or not the issuer or its predecessor has, within a period of twenty years prior to the filing of the registration statement, defaulted on the principal or interest of any external security, excluding intergovernmental debt, and, if so, the date, amount, and circumstances of such default, and the terms of the succeeding arrangement, if any;

(5) the receipts, classified by source, and the expenditures, classified by purpose, in such detail and form as the Commission shall prescribe for the latest fiscal year for which such information is available and the two preceding fiscal years, year by year;

(6) the names and addresses of the underwriters;

(7) the name and address of its authorized agent, if any, in the United States;

(8) the estimated net proceeds to be derived from the sale in the United States of the security to be offered;

(9) the price at which it is proposed that the security shall be offered in the United States to the public or the method by which such price is computed. A variation in price may be proposed prior to the date of the public offering of the security, but the Commission shall immediately be notified of such variation;

(10) all commissions paid or to be paid, directly or indirectly, by the issuer to the underwriters in respect of the sale of the security to be offered. Commissions shall include all cash, securities, contracts, or anything else of value, paid, to be set aside, disposed of, or understandings with or for the benefit of any other persons in which the underwriter is interested, made, in connection with the sale of such security. Where any such commission is paid, the amount of such commission paid to each underwriter shall be stated;

(11) the amount or estimated amounts, itemized in reasonable detail, of expenses, other than the commissions specified in paragraph (10) of this schedule, incurred or borne by or for the account of the issuer in connection with the sale of the security to be offered or properly chargeable thereto, including legal, engineering, certification, and other charges;

(12) the names and addresses of counsel who have passed upon the legality of the issue;

(13) a copy of any agreement or agreements made with any underwriter governing the sale of the security within the United States; and

(14) an agreement of the issuer to furnish a copy of the opinion or opinions of counsel in respect to the legality of the issue, with a translation, where necessary, into the English language. Such opinion shall set out in full all laws, decrees, ordinances, or other acts of Government under which the issue of such security has been authorized.

TITLE II

Section 201. For the purpose of protecting, conserving, and advancing the interests of the holders of foreign securities in default, there is hereby created a body corporate with the name "Corporation of Foreign Security Holders" (herein called the "Corporation"). Principal office, agen-The principal office of the Corporation shall be located in the District of Columbia, but there may be established agencies or branch offices in any city or cities of the United States under rules and regulations prescribed by the board of directors.

SEC. 202. The control and management of the Corporation shall be vested in a board of six directors, who shall be appointed and hold office in the following manner: As soon as practicable after the date this Act takes effect the Federal Trade Commission (hereinafter in this title called "Commission") shall appoint six directors, and shall designate a chairman and a vice chairman from among their number. After the directors designated as chairman and vice chairman cease to be directors, their successors as chairman and vice chairman shall be elected by the board of directors itself. Of the directors first appointed, two shall continue in office for a term of two years, two for a term of four years, and two for a term of six years, from the date this Act takes effect, the term of each to be designated by the Commission at the time of appointment. Their successors shall be appointed by the Commission, each for a term of six years from the date of the expiration of the term for which his predecessor was appointed, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of such predecessor. No person shall be eligible to serve as a director who within the five years preceding has had any interest, direct or indirect, in any corporation, company, partnership, bank or association which has sold, or offered for sale any foreign securities. The office of a director shall be vacated if the board of directors shall at a meeting specially convened for that purpose by resolution passed by a majority of at least two thirds of the board of directors, remove such member from office, provided that the member whom it is proposed to remove shall have seven days' notice sent to him of such meeting and that he may be heard.

Sec. 203. The Corporation shall have power to adopt, alter, and use a corporate seal; to make contracts; to lease such real estate as may be necessary for the transaction of its business; to sue and be sued, to complain and to defend, in any court of competent jurisdiction, State or Federal; to require from trustees, financial agents, diction, State or Federal; to require from trustees, financial agents, To require information dealers in foreign securities information relative to the original securities holders, etc. or present holders of foreign securities and such other information as may be required and to issue subpense therefor; to take over the tions of agent of defunctions of any fiscal and paying agents of any foreign securities in faulted foreign securidefault; to borrow money for the purposes of this title, and to borrow and pledge pledge as collateral for such loans any securities deposited with for such loans. the Corporation pursuant to this title; by and with the consent and approval of the Commission to select, employ, and fix the compensation of officers, directors, members of committees, employees, attor- etc. neys, and agents of the Corporation, without regard to the provisions of other laws applicable to the employment and compensation of officers or employees of the United States; to define their authority and duties, require bonds of them and fix the penalties thereof, and to dismiss at pleasure such officers, employees, attorneys, and agents; and to prescribe, amend, and repeal, by its board of director conduct of business, tors, bylaws, rules, and regulations governing the manner in which its general business may be conducted and the powers granted to it by law may be exercised and enjoyed, together with provisions for such committees and the functions thereof as the board of directors

Post, p. 908.

Tenure of office.

Vacancies.

Removals.

Corporate powers.

Officers, employees,

Authority of board over foreign securities. Call meetings of holders of.
Action on defaulted securities.

Appoint committee to represent such hold-

Carry out arrangements for resuming payments.

Collecting, etc., funds derived from foreign securities

Collect, etc., informa-tion respecting foreign securities.

Securing simple

Act as representative of holders.

To keep and publish an audited general ac-count and balance sheet.

may deem necessary for facilitating its business under this title. The board of directors of the Corporation shall determine and pre-Determine manner The board of directors of the Corporation shall determine and pre-obligations allowed scribe the manner in which its obligations shall be incurred and its expenses allowed and paid.

Sec. 204. The board of directors may-

 Convene meetings of holders of foreign securities.
 Invite the deposit and undertake the custody of foreign securities which have defaulted in the payment either of principal or interest, and issue receipts or certificates in the place of securities so

deposited.

(3) Appoint committees from the directors of the Corporation and/or all other persons to represent holders of any class or classes of foreign securities which have defaulted in the payment either of principal or interest and determine and regulate the functions of such committees. The chairman and vice chairman of the board of directors shall be ex officio chairman and vice chairman of each committee.

(4) Negotiate and carry out, or assist in negotiating and carrying out, arrangements for the resumption of payments due or in arrears in respect of any foreign securities in default or for rearranging the terms on which such securities may in future be held or for converting and exchanging the same for new securities or for any other object in relation thereto; and under this paragraph any plan or agreement made with respect to such securities shall be binding upon depositors, providing that the consent of holders resident in the United States of 60 per centum of the securities deposited with the Corporation shall be obtained.

(5) Undertake, superintend, or take part in the collection and application of funds derived from foreign securities which come into the possession of or under the control or management of the

Corporation.

(6) Collect, preserve, publish, circulate, and render available in readily accessible form, when deemed essential or necessary, documents, statistics, reports, and information of all kinds in respect of foreign securities, including particularly records of foreign external securities in default and records of the progress made toward the payment of past-due obligations.

(7) Take such steps as it may deem expedient with the view of securing the adoption of clear and simple forms of foreign securities and just and sound principles in the conditions and terms thereof.

(8) Generally, act in the name and on behalf of the holders of foreign securities the care or representation of whose interests may be entrusted to the Corporation; conserve and protect the rights and interests of holders of foreign securities issued, sold, or owned in the United States; adopt measures for the protection, vindication, and preservation or reservation of the rights and interests of holders of foreign securities either on any default in or on breach or contemplated breach of the conditions on which such foreign securities may have been issued, or otherwise; obtain for such holders such legal and other assistance and advice as the board of directors may deem expedient; and do all such other things as are incident or conducive to the attainment of the above objects.

Sec. 205. The board of directors shall cause accounts to be kept of all matters relating to or connected with the transactions and business of the Corporation, and cause a general account and balance sheet of the Corporation to be made out in each year, and cause all accounts to be audited by one or more auditors who shall examine

the same and report thereon to the board of directors.

SEC. 206. The Corporation shall make, print, and make public an Annual report of annual report of its operations during each year, send a copy thereof, together with a copy of the account and balance sheet and auditor's report, to the Commission and to both Houses of Congress, and provide one copy of such report but not more than one on the application of any person and on receipt of a sum not exceeding \$1: Provided, That the board of directors in its discretion may distribute copies gratuitously.

Sec. 207. The Corporation may in its discretion levy charges, ers of foreign securities. assessed on a pro rata basis, on the holders of foreign securities deposited with it: *Provided*, That any charge levied at the time of Charge limitation. depositing securities with the Corporation shall not exceed one fifth of 1 per centum of the face value of such securities: Provided further, That any additional charges shall bear a close relationship to the cost of operations and negotiations including those enumerated in sections 203 and 204 and shall not exceed 1 per centum of the face

value of such securities.

Sec. 208. The Corporation may receive subscriptions from any person, foundation with a public purpose, or agency of the United foundation, etc. States Government, and such subscriptions may, in the discretion of the board of directors, be treated as loans repayable when and as the board of directors shall determine.

SEC. 209. The Reconstruction Finance Corporation is hereby Reconstruction Finance Corporation to authorized to loan out of its funds not to exceed \$75,000 for the use of advance funds for Corporation use.

the Corporation.

SEC. 210. Notwithstanding the foregoing provisions of this title, it shall be unlawful for, and nothing in this title shall be taken or construed as permitting or authorizing, the Corporation in this title created, or any committee of said Corporation, or any person or persons acting for or representing or purporting to represent it-

(a) to claim or assert or pretend to be acting for or to represent sent the Department of State or the United States Government; Department or State or the United States Government; Department.

(b) to make any statements or representations of any kind to that effect to Icreign any foreign government or its officials or the officials of any political subdivision of any foreign government that said Corporation or any committee thereof or any individual or individuals connected therewith were speaking or acting for the said Department of State or the United States Government; or

(c) to do any act directly or indirectly which would interfere with Government pel-with or obstruct or hinder or which might be calculated to obstruct, hinder or interfere with the policy or policies of the said Department of State or the Government of the United States or any pending or contemplated diplomatic and interference, etc. States or any pending or contemplated diplomatic negotiations. arrangements, business or exchanges between the Government of the United States or said Department of State and any foreign government or any political subdivision thereof.

SEC. 211. This title shall not take effect until the President finds until President so

that its taking effect is in the public interest and by proclamation declares.

SEC. 212. This title may be cited as the "Corporation of Foreign Bondholders Act, 1933."

Approved, May 27, 1933.

Proviso.
Free distribution.

Provisos. Charge limitation.

Additional charges.

Subscription may be

Unlawful acts.

Citation of title.

[CHAPTER 39.]

AN ACT

May 27, 1933, [H.R. 5152.] [Public, No. 23.] Granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Virginia, on State Highway Route Numbered 27.

Northwest River. Virginia may bridge, in Norfolk County.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of Virginia, and its successors, to replace and operate a free highway bridge and approaches thereto across the Northwest River, at a point suitable to the interests of navigation, at or near Norfolk County, Virginia, on State Highway Route Numbered 27, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 22 1002 23, 1906.

Construction. Vol. 34, p. 84.

Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 27, 1933.

[CHAPTER 40.]

AN ACT

May 27, 1933. [H.R. 5173.] [Public, No. 24.]

Granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Virginia, on United States Route Numbered 15.

Be it enacted by the Senate and House of Representatives of the Staunton and Dan United States of America in Congress assembled, That the consent of Bridge across, by Congress is hereby granted to the State Highway Commission of Virginia, legalized.

Virginia and its successors to maintain and operate in accordance Virginia, and its successors, to maintain and operate, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, a bridge and approaches thereto already constructed to replace an inadequate structure already constructed across the Staunton and Dan Rivers, at their mouths—Clarksville, in Mecklenburg County,

Vol. 34, p. 84.

Amendment.

extent and in the same manner as if it had been constructed in accordance with the provisions of said Act of March 23, 1906. Sec. 2. The right to alter, amend, or repeal this Act is hereby

which bridge is hereby declared to be a lawful structure to the same

Approved, May 27, 1933.

[CHAPTER 41.]

expressly reserved.

AN ACT

May 27, 1933. [H.R. 5476.] [Public, No. 25.]

To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia.

Be it enacted by the Senate and House of Representatives of the Savannah River.

Time extended for bridging, at Burtons Ferry, Ga. 70.1 47, p. 135, amended.

Post, p. 946.

Time extended for bridging, at Burtons Ferry, Ga. 70.1 47, p. 135, amended.

Post, p. 946.

Time extended for bridging and completing the construction of a bridge authorized by Act of Congress approved May 26, 1928, heretofore revived and reenacted by Act of Congress approved April 22, 1932, to be built by the South Carolina and Georgia State Highway Departments across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia are hereby extended one and three years, respectively, from

A mendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 27, 1933.

[CHAPTER 42.]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30. 1934, and for other purposes.

May 29, 1933 [H.R. 5390.] [Public, No. 26]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Third Deficiency Act, fiscal year 1933. sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, namely:

LEGISLATIVE

Legislative.

SENATE

Senate.

To pay to Nieves Maria P. C. Walsh, widow of Honorable Thomas J. Walsh, late a Senator from the State of Montana, \$9,000.

Thomas J. Walsh. Pay to widow.

To pay Alice C. Howell, widow of Honorable R. B. Howell, late a Senator from the State of Nebraska, \$9,000.

Robert B. Howell Pay to widow.

For miscellaneous items, exclusive of labor, fiscal year 1933,

Miscellaneous items.

\$20,000.

Senate Office Build-

Police force for Senate Office Building, under the Sergeant at Senate Office Building, under the Sergeant at Ing. Additional Arms: Fifteen privates at the rate of \$1,620 per annum each, fiscal vear 1934, \$22,275.

HOUSE OF REPRESENTATIVES

House of Representa-tives.

To pay Lois Slayton Woodworth Briggs, widow of Clay Stone Briggs, late a Representative from the State of Texas, \$8,500, to be disbursed by the Sergeant at Arms of the House.

Clay Stone Briggs. Pay to widow.

Contingent expenses: For miscellaneous items, exclusive of salaries and labor unless specifically ordered by the House of Representatives, including reimbursement to the official stenographers to committees for the amounts actually and necessarily paid out by them for transcribing hearings, and including materials for folding, fiscal year Sum from "Clerk 1933, the sum \$15,000 is transferred and made available from the able. unexpended balance of the appropriation "Clerk hire, members Vol. 47, p. 389. and delegates, 1933."

Miscellaneous items.

The amount which may be expended for labor, tools, and machinery for furniture repair shops during the fiscal year 1933 is hereby creased. increased from \$22,500 to \$24,000.

Furniture, etc. Amount for, in-

ARCHITECT OF THE CAPITOL

Architect of the Capitol

Capitol power plant: For an additional amount for lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and so forth, including the same objects specified under this head in the Legislative Appropriation Act for the fiscal year 1933, \$30,000.

Capitol power plant. Maintenance.

Senate Office Building: For labor and materials and other expenses incidental thereto, for additional painting in the Senate Office ing. Painting, etc. Building, to remain available during the fiscal year 1934, to be expended under the direction and supervision of the Committee on Rules, acting through the Architect of the Capitol, who shall be its executive agent, \$5,000.

Senate Office Build

86637°--34----7

Government Printing Office.

GOVERNMENT PRINTING OFFICE

Leave of absence.
Payable from working capital.
Post, p. 832.

Not exceeding \$400,000 of the working capital of the Government Printing Office for the fiscal year 1934 shall be available for the purpose of enabling the Public Printer to comply with the provisions of law granting fifteen days' annual leave of absence to employees with pay.

Interior Department.

DEPARTMENT OF THE INTERIOR

Indian Affairs Bu-

BUREAU OF INDIAN AFFAIRS

Res in livestock. From tribal funds.

Truxton Canyon Reservation, Ariz.
Eradicating scables (tribal funds): For assisting in the eradication of scables in livestock.
From tribal funds.
From tribal funds.
From tribal funds.

Menominee Indians, Vis.
Attorneys.
Vol. 46, p. 1468.

Truxton Canyon Reservation, Arizona, fiscal years 1933 and 1934, \$10,000, payable from tribal funds on deposit to the credit of said Indians.

Attorney's Fees and Expenses, Menominee Tribe, Wisconsin (tribal funds): The unexpended balance of the \$20,000 of Menominee tribal funds authorized to be expended by the Act of March 2, 1931 (46)

Menominee Indians, Wis. Attorneys. Vol. 46, p. 1468.

Stat., p. 1468), for employment of attorneys to formulate any claims the Menominee Tribe might have against the Government of the United States, and for expenses of such attorneys in connection with their services, is hereby continued available for the same purposes until June 30, 1934.

Reclamation Bureau

BUREAU OF RECLAMATION

Palo Verde Valley, California: The unexpended balance of the appropriation of \$50,000 for the protection of Palo Verde Valley, California, contained in the Second Deficiency Act 5 approved July 1, 1932, shall remain available for the same purposes during the fiscal year 1934.

Department of Justice

DEPARTMENT OF JUSTICE

CONTINGENT EXPENSES

laneous. Vol. 47, p. 491.

Department contingent expenses. Travel and miscel- "Salaries, fees, and expenses of marshals, United States courts, laneous. Vol. 47, p. 491. "Salaries, fees, and expenses of marshals, United States courts, laneous expenses, Traveling and miscellaneous expenses, vol. 47, p. 491. Department of Justice, 1933."

United States courts.

UNITED STATES COURTS

Conciliation commissioners. Post, p. 542.

Compensation and expenses of conciliation commissioners: For fees of conciliation commissioners, and per diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, the sum of \$25,000 is transferred and made available until June 30, 1934, from the appropriation "Salaries, fees, and expenses of marshals, United States courts, 1933."

Transfer from "marshals, 1933." Vol. 47, p. 491.

Vol. 47, p. 1470.

DEPARTMENT OF LABOR

Department of La-Immigration Bureau.

bor.

BUREAU OF IMMIGRATION

Joseph Vigliotti, refund. Vol. 47, p. 1766.

For refund to Joseph Vigliotti, of Detroit, Michigan, as authorized by Private Act Numbered 318, approved March 4, 1933, \$1,500.

DEPARTMENT OF STATE

Department of State.

Seventh International Conference of American States, Monte- al Conference of A video, Uruguay: Not to exceed \$70,000 of any appropriation made can States. For the Department of State for the fiscal year 1934 is hereby made available for the participation by the United States in the Seventh International Conference of American States to be held in the city of Montevideo, Uruguay, including personal services without reference to the Classification Act of 1923, as amended, and rent, U.S.C., p. 65; Supp. stenographic reporting and translating services by contract if R.S. sec 3709, p. 733; deemed necessary, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); traveling expenses (and by indirect routes if specifically authorized by the Secretary of State); hire of automobiles; purchase of necessary books and documents; testionary official cardot powers and provide large and remaining and stationery; official cards; newspapers and periodicals; printing and binding; entertainment; equipment; and such other expenses as may be authorized by the Secretary of State, to remain available

until June 30, 1934.

Salaries of Foreign Service officers while receiving instructions foreign service officers while receiving instructions foreign service of the servic Salaries of Foreign Service onicers white receiving and in transit: The sum of \$60,000 is hereby transferred from the Instruction and sit pay, 1933. "On and living quarters. Foreign Service, 1933", Vol. 47, p. 478. appropriation "Office and living quarters, Foreign Service, 1933", to the appropriation "Salaries of Foreign Service officers while receiving instructions and in transit, 1933."

Foreign Service of-Instruction and tran-

Salaries of Foreign Service officers while receiving instructions and in transit: The sum of \$20,000 is hereby transferred from the appropriation "Contingent expenses, Foreign Service, 1934", to the appropriation "Salaries of Foreign Service officers while receiving instructions and in transit, 1934.

Fiscal year 1934. Vol. 47, p. 1375.

WAR DEPARTMENT

War Department.

CORPS OF ENGINEERS

Engineer Corps.

Flood control, Lowell Creek, Alaska: For necessary maintenance of the flood-control works at Lowell Creek, Seward, Alaska, au-Flood control. Vol. 47, p. 802. thorized by an Act approved February 14, 1933 (47 Stat., p. 802), to be available until June 30, 1934, \$21,000.

Lowell Creek, Alas-

RECONSTRUCTION FINANCE CORPORATION

Reconstruction Fi-nance Corporation.

That paragraph (6) of section 201 (a) of the Emergency Relief and Construction Act of 1932 is amended so as to read as follows: "(6) to make loans to nonprofit corporations, with or without Loans for damage capital stock, organized for the purpose of financing the repair or reconstruction of buildings damaged by earthquake, fire, tornado, or cyclone in the year 1933 and deemed by the Reconstruction Finance Corporation economically useful. Obligations accepted hereunder exhall be collaterated (a) in the case of loans for the repair or reconstruction of private property, by the obligations of the owner of such property secured by a paramount lien except as to taxes and special assessments on the property repaired or reconstructed, and (b) in the case of municipalities or political subdivisions of States or their public agencies, by an obligation of such municipality, political subdivision, or public agency. The corporation shall be denied by constitutional deny an otherwise acceptable application for long for repair or tional set, inhibitions. not deny an otherwise acceptable application for loans for repair or tional, etc., inhibitions, reconstruction of the buildings. reconstruction of the buildings of municipalities, political subdivisions, or their public agencies because of constitutional or other legal inhibitions affecting the collateral. The collateral obligations

Ante, p. 20. Post, pp. 120, 283.

Acceptable collat-Private property.

Maturities: security may have maturities not exceeding ten years. Loans under this paragraph shall be fully and adequately secured. No loan here-Limitation on aggre- under shall be made after December 31, 1933. The aggregate of the loans made under this paragraph shall not exceed \$5,000,000."

Judgments and authorized claims.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Damage claims.

DAMAGE CLAIMS

Payment of. Vol. 42, p. 1066.

U.S.C., p. 989.

Section 1. For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments under the provisions of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U.S.C., title 31, secs. 215–217), and certified to the Seventy-third Congress in a communication from the President of the United States to the President of the Senate, dated May 8, 1933, under the following departments, namely:

Post Office Department, \$4.227.38; Treasury Department, \$292.54;

In all, \$4,519.92.

Judgments, States Courts. United

JUDGMENTS, UNITED STATES COURTS

Payment of. Vol. 24, p. 505. Vol. 36, p. 1138. U.S.C., pp. 867, 898,

Columbia graph Company. Plano-

Interest.

Judgments rendered by district courts.

Vol. 43, p. 1112 U.S C., p. 1529.

The Delaware, Lack-awanna, and Western Railroad Company, Collision damages.

Larney B. Shaw.

Sec. 2. For payment of the final judgment, including costs of suit, rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U.S.C., title 28, sec. 41, par. 20; sec. 258; secs. 761, 765) in favor of the Columbia Plantage and Company of the Columbia Plantage and Columb 761-765), in favor of the Columbia Planograph Company, a corporation (Supreme Court of the District of Columbia, Law Number 76808), and certified (under the Department of Commerce) to the Seventy-third Congress in a communication from the President of the United States to the Speaker of the House of Representatives, dated April 27, 1933, \$670, together with such additional sum as may be necessary to pay interest on such judgment at the rate of 4 per centum per annum from the date thereof until the time this appropriation is made.

For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U.S.C., title 46, secs. 781–789), and certified to the Seventythird Congress in communications from the President of the United States to the President of the Senate and the Speaker of the House of Representatives, dated May 8, 1933, and April 27, 1933, respec-

tively, under the following departments, namely:
Navy Department: The Delaware, Lackawanna, and Western Railroad Company, (United States District Court, Eastern District of New York, March 23, 1933, damages due to collision between the ferryboat Orange and the United States ship Transfer), \$1,561; Larney B. Shaw (United States District Court, Eastern District of Virginia, March 21, 1933, damages due to collision between the wooden barge Evelyn L. Shaw and the Navy barge YC-270), \$1,500;

in all under the Navy Department, \$3,061.

Treasury Department: Chester A. Poling, Incorporated (United Incorporated Incorpora States District Court, Eastern District of New York, November 22, 1932, damages due to collision between the lighter Poling Brothers Numbered 1 and the Coast Guard vessel Trippe), \$11,215.02; Sea-Company. coast Trawling Company (United States District Court, District of Massachusetts, March 6, 1933, damages due to collision between the fishing vessel Juneal and the Coast Guard patrol boat C.G. 212), \$945.42; the city of New York (United States District Court, Southern District of New York, No. 98-207, March 17, 1933, damages due to collision between the Ferryboat Queens and the Coast Guard cutter Manhattan), \$3,632.14; in all, under the Treasury Department, \$15,792.58.

Total, judgments under Public Vessels Act, \$18,853.58, together with such additional sum as may be necessary to pay interest on any such judgment where specified therein and at the rate provided

For the payment of the final judgment, including costs of suit, Kursheedt Manufacrendered against the Government, under the provisions of the Acts turing Company, collision damages. of May 1, 1926 (44 Stat. 1464), and February 26, 1927 (44 Stat. 1793), transmitted to the Seventy-third Congress, first session, in a communication from the President of the United States, to the President of the Senate, dated May 8, 1933, in favor of the Kursheedt Manufacturing Company (United States District Court, Southern District of New York, Number 92–260, February 21, 1933, damages to cargo due to collision between steamship Almirante and steamship Hisko, under the Navy Department, \$1,008.48.

None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure

of the parties to appeal or otherwise.

JUDGMENTS, COURT OF CLAIMS

Payment of.

Sec. 3. For the payment of the judgments rendered by the Court of Claims as set forth in the schedule transmitted to the Seventythird Congress, first session, in a communication from the President of the United States to the President of the Senate, dated May 8, 1933, under the following departments, namely:

Navy Department: Peter G. Hale (February 6, 1933, L-423,

allowance for dependent), \$3,375.14.

War Department: Hodgson Oil and Refining Company (March 23, 1933, 17381, 17395, and 17398, sale of cotton linters), \$29,843.25; Buckeye Cotton Oil Company (March 23, 1933, 17495, sale of cotton linters), \$541,359.57; Planters' Cotton Oil Company (March 23, 1933, 17495, sale of cotton linters), \$36,197.29; Planters' Manufacturing Company (March 23, 1933, 17442, sale of cotton linters), \$33,057.71; tring Company.

Daniel DeBardeleen (February 6, 1933, 41894, difference in part)

Daniel DeBardeleen (February 6, 1933, 41894, difference in part) Daniel DeBardeleben (February 6, 1933, 41824, difference in pay), Daniel DeBardeleben (Springer 6, 1933, 41824, difference in pay), Daniel DeBardeleben (Springer 6, 1933, D-1095, sale of cotton Leland oil Works, linters), \$52,592.46; Port Gibson Oli Works (March 23, 1933, D-1100, Port Gibson Oli Works) sale of cotton linters), \$21,776.94; Pittsburgh and Midway Coal Works, Pittsburgh and Midway Coal Works, Pittsburgh and Midway Coal Wards, Pittsburgh and Midway Coal Mining Compurchase order for coal), \$493.30: in all under War Daniel War Dan \$716,295.41.

Total, judgments, Court of Claims, \$719,670.55: Provided, That none of the judgments contained under this caption which have not been affirmed by the Supreme Court or otherwise become final and conclusive against the United States shall be paid until the expiration of the time within which application may be made for a writ of certiorari under subdivision (b), section 3, of the Act

Trawling

Total, under Public

Vol. 44, p. 1464, 1793.

Time of payment.

Judgments, Court of Claims.

Peter G. Hale.

Daniel DeBardele-

Provise. Time of payment.

Vol. 43, p. 939. U.S.C., p. 900.

entitled "An Act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes", approved February 13, 1925 (U.S.C., title 28, sec. 288).

Interest

Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Andited claims

AUDITED CLAIMS

Payment of.

Vol. 18, p. 110, U.S.C., p. 1022,

Vol. 23, p. 254. U.S.C., p. 43.

Sec. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U.S.C., title 5, sec. 266), in the schedules transmitted to the Seventy-third Congress, first session, by the President of the United States in a communication to the President of the Senate, dated May 8, 1933, there is appropriated as follows:

Legislative establish-ment.

LEGISLATIVE ESTABLISHMENT

For public printing and binding, Government Printing Office,

Independent offices.

INDEPENDENT OFFICES

For Interstate Commerce Commission, \$1.75.

For medical and hospital services, Veterans' Bureau, \$4,715.

For military and naval compensation, Veterans' Administration, \$178.44.

For salaries and expenses, Veterans' Bureau, \$11.25. For vocational rehabilitation, Veterans' Bureau, \$108.40.

For Army pensions, \$95.71.

Department of Agri-culture.

DEPARTMENT OF AGRICULTURE

For salaries and expenses, Bureau of Animal Industry, \$28.62.

Department of Com-

DEPARTMENT OF COMMERCE

For air-navigation facilities, \$727.04.

For enforcement of wireless communication laws, \$31,924.27.

For scientific library, Patent Office, \$25.

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For general expenses, Bureau of Education, \$2.75. For conservation of health among Indians, \$75.

For pay of Indian police, \$43.78.

Department of Jus-

DEPARTMENT OF JUSTICE

For books, Department of Justice, \$2.50. For detection and prosecution of crimes, \$22.50.

For salaries, fees, and expenses of marshals, United States courts, Audited claims-\$427.02.

For fees of commissioners, United States courts, \$1,335.75.

For fees of jurors and witnesses, United States courts, \$6.40.

For books for judicial officers, \$127.

For United States Penitentiary, Atlanta, Georgia, \$94.47.

DEPARTMENT OF LABOR

Department of La-

For expenses of regulating immigration, \$2,000.

NAVY DEPARTMENT

Navy Department.

For engineering, Bureau of Engineering, \$897.85.

For pay of the Navy, \$1,548.25.

For pay, subsistence, and transportation, Navy, \$2,635.48.

For maintenance, Bureau of Supplies and Accounts, \$12.50.

For aviation, Navy, \$7,000. For pay, Marine Corps, \$80.54.

DEPARTMENT OF STATE

Department of State.

For relief and protection of American seamen, \$27. For transportation of Foreign Service officers, \$408.48.

TREASURY DEPARTMENT

Treasury Depart-ment.

For salaries and wages, mint service, major institutions, \$51.91.

For collecting revenue from customs, \$4.

For enforcement of Narcotic and National Prohibition Acts, internal revenue, \$150.02.

For pay and allowances, Coast Guard, \$3,975.22.

For fuel and water, Coast Guard, \$5. For Coast Guard, \$855.06.

For pay of other employees, Public Health Service, 75 cents.

For pay of personnel and maintenance of hospitals, Public Health Service, \$1.04.

For field investigations of public health, \$1.

For furniture and repairs of same for public buildings, \$12.36. For general expenses of public buildings, \$1.

For operating supplies for public buildings, \$1.42.

For repairs and preservation of public buildings, \$1.19.

For marine hospital, Carville, Louisiana, \$120.86.

WAR DEPARTMENT

War Department.

For pay, and so forth of the Army, \$26,774.34.

For pay of the Army, \$10,906.83.

For mileage of the Army, \$37.50.

For clothing and equipage, \$42.71. For Army transportation, \$41.31.

For pay of National Guard for armory drills, \$253.62.

For supplies, services and transportation, Quartermaster Corps, \$181.39.

For subsistence of the Army, \$6.75.

For general appropriations, Quartermaster Corps, \$956.14.

For replacing ordnance and ordnance stores, \$175.34.

For replacing clothing and equipage, \$1.12.

73d CONGRESS. SESS. I. CH. 42. MAY 29, 1933.

Audited claims— Continued.

For terminal storage and shipping buildings, \$5,324.49.

For registration and selection for military service, \$448.70.

For increase of compensation, Military Establishment, \$2,437.49.

For citizens' military training camps, \$1.

For mileage to officers and contract surgeons, \$36.99.

For organized reserves, \$51.33.

For arrears of pay, bounty, and so forth, \$84.93. For reserve officers' training corps, \$42.

For pay, and so forth, of the Army, War with Spain, \$15.52. For regular supplies of the Army, \$941.65. For seacoast defenses, ordnance, \$250.21.

For arming, equipping, and training the National Guard, \$195.

Vol. 41, p. 607,

ment.

For headstones for graves of soldiers, \$1.47. For Rainy Lake reference (State transfer to War, Act May 21, 1920), \$9.04.

Post Office Depart-

POST OFFICE DEPARTMENT—POSTAL SERVICE

(Out of the postal revenues)

Postal service.

For city delivery carriers, \$87.16.

For clerks, contract stations, \$1.83.

For clerks, first- and second-class post offices, \$7.09. For foreign mail transportation, \$51.43.

For freight, express, or motor transportation of equipment, and so forth, 38 cents.

For indemnities, domestic mail, \$168.07.

For indemnities, international mail, \$36.66.

For miscellaneous items, first- and second-class post offices, \$60.

For railroad transportation and mail-messenger service, \$17.42.

For rent, light, and fuel, \$261.72.

For separating mails, \$249. For special delivery fees, \$70.01.

Claims certified by Accounting Office.

Vol. 18, p. 110. U.S.C., p. 1022,

Total, audited claims, section 4, \$110,030.92. Sec. 5. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U.S.C., title 5, sec. 266), as set

Vol 23, p. 254. U.S.C., p. 43.

forth in the schedule transmitted to the Seventy-third Congress, first session, by the President of the United States in a communication to the President of the Senate, dated May 8, 1933, there is appropriated as follows:

. Navy Department.

NAVY DEPARTMENT

For pay, subsistence, and transportation, Navy, \$8,732.43.

For pay of the Navy, \$4,836.67.

Total, audited claims, section 5, \$13,569.10.

Short title.

SHORT TITLE

This Act may be cited as the "Third Deficiency Act, fiscal year

Approved, May 29, 1933.

[CHAPTER 43.]

AN ACT

To authorize the Comptroller General to allow claim of district numbered 13, Choctaw County, Oklahoma, for payment of tuition for Indian pupils.

May 29, 1933. [S. 73.] [Public, No. 27.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comp- Choctaw Okla. troller General is hereby authorized and directed to allow payment of claims of the public school district numbered 13, Choctaw County, Oklahoma, for tuition of Indian pupils during the fiscal year 1931, Appropriation available. Vol. 46, p. 293 in the sum not to exceed \$3,435.61 from the appropriation entitled "Indian Schools, Five Civilized Tribes, Oklahoma, 1931."

County.

Approved, May 29, 1933.

[CHAPTER 44.]

JOINT RESOLUTION

Granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Missouri, to a point at or near Kansas City, in Wyandotte County, Kansas, and specifying the conditions thereof

May 29, 1933. [H.J.Res. 159.] [Pub. Res., No. 8.]

Whereas by an Act of Congress approved May 22, 1928, a franchise was granted to the Interstate Bridge Company for the construction of a toll bridge across the Missouri River at or near Kansas and Missouri for acceptance of bridge City, Kansas, which has been extended by the Acts of March 2, across. 1929, and June 30, 1930, and which is now owned by the Regional Vol. 46, pp. 704, 1520; Vol. 46, pp. 835. Bridge Company, a corporation organized and existing under the laws of the State of Delaware, as assignee of the Interstate Bridge Company; and

Whereas authority has been granted the State Highway Commission of Kansas by an act of the Legislature of the State of Kansas, approved March 24, 1933, and published in the official State paper on March 27, 1933, and to the State Highway Commission of Missouri by an identical act, mutatis mutandis, of the General Assembly of the State of Missouri, approved April 17, 1933, to include in the highway systems of the respective States of Kansas and Missouri any toll bridge across any river forming a common boundary between the two States; to join in entering into contracts with the owner of any such toll bridge and with the holders of any bonds issued in connection with the construction of such bridge, by the terms of which the State Highway Commissions of Kansas and Missouri shall maintain, operate, and insure such bridge, and fix and collect and apply tolls thereon, and shall construct, maintain, and operate as free State highways, approaches thereto, and shall make and treat as part of the highway system of their respective States such entire bridge and any part of such approaches lying within their respective States; and to accept conveyance of title to and ownership of any such bridge or part thereof situated within their respective States, subject to any encumbrance against any such bridge and pledge of its tolls previously executed; and

Whereas Regional Bridge Company has obtained an agreement from the Reconstruction Finance Corporation of the United States to aid in financing the construction of a bridge under the franchise granted by the Act of May 22, 1928, and extensions thereof, under authority of the Act of Congress known as the "Emergency Relief and Construction Act of 1932", by purchasing at par the bonds of Regional Bridge Company, secured by mortgage on such bridge,

in the amount of \$600,000, upon condition that certain requirements be met and agreed to by the States of Kansas and Missouri; and

Whereas the Legislature of the State of Kansas and the General Assembly of the State of Missouri, to make effective the acts of their respective legislative bodies herein cited and to meet the requirements imposed by the Reconstruction Finance Corporation

have each adopted the following resolution:

Whereas Regional Bridge Company, a corporation organized and existing under the laws of the State of Delaware, is the owner and holder of a franchise granted by the Congress of the United States to construct (according to plans approved by the War Department of the United States), maintain, and operate a toll bridge across the Missouri River from a point at or near Kansas City in Wyandotte County, Kansas, to a point in Platte County, Missouri; and

Whereas Regional Bridge Company desires to commence the construction of such bridge as soon as the same is fully financed;

Whereas Reconstruction Finance Corporation of the United States has agreed with Regional Bridge Company to aid in financing the construction of such bridge, under authority of the Act of Congress known as the "Emergency Relief and Construction Act of 1932", by purchasing at par the bonds of Regional Bridge Company, secured by mortgage on such bridge, in the amount of \$600,000; but

Whereas Reconstruction Finance Corporation has imposed certain requirements, to be met and agreed to by the States of Missouri and Kansas, as conditions precedent to its purchase of such bonds;

Whereas inasmuch as such bridge will form an important link in and improvement to the highway systems of the States of Missouri and Kansas, and will be of benefit and advantage to the citizens of both, and the public, and inasmuch as Regional Bridge Company, by resolution duly passed by the unanimous vote of its stockholders, has agreed to transfer and convey such bridge, free of cost, to the State Highway Commissions of Missouri and of Kansas, on behalf of such States of Missouri and Kansas, jointly, such conveyance to be made as soon as such mortgage shall have been properly recorded in both Missouri and Kansas, subject to the right of and duty upon Regional Bridge Company fully to complete the construction of such bridge, it is to the interest and benefit of the States of Missouri and Kansas, and the citizens of both, that the States of Missouri and Kansas meet and agree to the requirements of the Reconstruction Finance Corporation, as conditions precedent to the purchase of such bonds: Now, therefore

In consideration of the benefits and advantages accruing to the States of Missouri and Kansas, and the citizens of both, and in consideration of the adoption of this resolution by both the States of Missouri and Kansas, the States of Missouri and Kansas, hereby

enter into the following compact and agreement:

Be it resolved by the Senate of the State of Kansas, the House

of Representatives agreeing thereto:

Regional Bridge Section 1. Regional Bridge Company, its successors and assigns, Company Construction of shall be, and it is hereby, authorized to construct, maintain, and operate such bridge across the Missouri River from a point at or near Kansas City, in Wyandotte County, Kansas, to a point in Platte County, Missouri, according to plans approved by the War

Department of the United States; and the said States hereby authorize Regional Bridge Company to enter upon and use for the purpose of constructing, maintaining, and operating such bridge all necessary lands under water belonging to said States, and the fee to any lands so used shall upon such use be vested in such Regional Bridge

Company

Sec. 2. The State Highway Commission of Missouri and the sas and Missouri. State Highway Commission of Kansas shall be, and they are hereby, authorized and directed to accept, when tendered by Regional Bridge Company, conveyance of such bridge and franchise therefor to such State Highway Commission jointly, on behalf of the States of Missouri and Kansas. Such conveyance shall not be in assumption of such mortgage, but shall expressly be subject to such mortgage, and to the right and duty upon Regional Bridge Company fully to

complete the construction of such bridge.

SEC. 3. The State Highway Commission of Missouri and the State Maintenance operation. Highway Commission of Kansas shall be, and they, and each of them, hereby are, authorized to maintain, operate, and insure such bridge and to fix and collect tolls thereon and apply such tolls, and to enter ration or any other party or parties considered by said highway Corporation. Commissions, or either of them, to be necessary or commissions, or either of them, to be necessary or commissions, or either of them, to be necessary or commissions, or either of them, to be necessary or commissions, or either of them, to be necessary or commissions. in connection with the proper maintenance, operation, and insurance of such bridge and such fixing, collection, and application of tolls thereon, and to incur joint and several obligations under such contracts; and to construct and maintain, and to enter into any contracts, severally, with said Reconstruction Finance Corporation or any other party or parties, considered by said highway commissions or either of them to be necessary or expedient, for or in connection with the construction and maintenance of approaches to such bridge and roadways leading thereto, lying within their respective States. And said highway commissions, and each of them, are further authorized to make and treat as a part of the State highway system of their tive States. respective States the entire such bridge and that portion of the approaches thereto lying within their respective States, and to enter into contracts with the Reconstruction Finance Corporation or any

other party or parties in respect thereto.

Sec. 4. Neither the State of Kansas nor the State of Missouri, Right to construct nor any department or political subdivision thereof, shall construct or cause to be constructed, or grant any right, privilege, or franchise for the construction of, any bridge, ferry, tunnel, or other competing facility across or under the Missouri River within a distance of five miles from said bridge, measured along the meanderings of the thread of the stream of the Missouri River, until the construction costs of said bridge, with interest thereon, shall have been fully paid.

Sec. 5. To the faithful observance of this compact and agreement the States of Missouri and Kansas, by the adoption of this resolution,

each pledges its good faith.

Sec. 6. This compact and agreement shall be in force and take the fective. effect from and after its adoption by the General Assembly of the State of Missouri, and approval by the Governor of Missouri, and its adoption by the Legislature of the State of Kansas, and approval by the Governor of Kansas, and publication in the official State paper of the State of Kansas, and upon its receiving the consent and approval of the Congress of the United States. Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congiven. gress is hereby given to the aforesaid compact or agreement and

Subject to mortgage.

and

Collection of tolls.

Pledge of good faith.

Consent of Congress

Provisos. Rights of

to each and every term and provision thereof, and to all agreements to be made pursuant thereto by and between the said States or any agencies, commissions, or public or municipal bodies thereof: Pro-United vided, That nothing herein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof: And provided further, That the right to alter, amend, or repeal this resolution or any part thereof is hereby expressly reserved.

Approved, May 29, 1933.

[CHAPTER 45.]

AN ACT

May 31, 1933. [H.R. 4014.] [Public, No. 28.]

Amendment

To authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the Act of June 7, 1924, and the liability of the United States to non-Indian claimants on Indian pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the Act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said Act; to provide for the protection of the watershed within the Carson National Forest for the Pueblo de Taos Indians of New Mexico and others interested, and to authorize the Secretary of Agriculture to contract relating thereto and to amend the Act approved June 7, 1924, in certain respects.

For construction, etc., of reservoirs, etc.

Sums supplemental to awards by Pueblo Lands Board.

Pueblos enumerated.

Be it enacted by the Senate and House of Representatives of the Indian pueblos in United States of America in Congress assembled, That in fulfill-New Mexico. Payments authorized, in annual instaliments, United States, authorized to be appropriated, out of any money in the Treasury liability to pueblos designated. Vol. 43, p. 636
Post, p. 277.

De w enacted by the Senate and House of Representatives of the Indian Post America in Congress assembled, That in fulfill-ment of the Act of June 7, 1924 (43 Stat. 636), there is hereby authorized to be appropriated, out of any money in the Treasury pensation to the several Indian pueblos hereinafter named, in payment, p. 277.

Mexico Payments authorized to be appropriated, out of any money in the Treasury pensation to the several Indian pueblos hereinafter named, in payments, p. 277. ment of the liability of the United States to the said pueblos as declared by the Act of June 7, 1924, which appropriations shall be made in equal annual installments as hereinafter specified, and shall be deposited in the Treasury of the United States and shall be expended by the Secretary of the Interior, subject to approval of the governing outberities of each pueblo is supplied to the secretary of the secre To be expended in be deposited in the Treasury of the United States of expended by the Secretary of the Interior, subject to approval of the governing authorities of each pueblo in question, at such times and in such amounts as he may deem wise and proper; for the purchase of lands and water rights to replace those which have been divested from said pueblo under the Act of June 7, 1924, or for the purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of

Sec. 2. In addition to the awards made by the Pueblo Lands Board, the following sums, to be used as directed in section 1 of this Act, and in conformity with the Act of June 7, 1924, be, and hereby

are, authorized to be appropriated:

Pueblo of Jemez, \$1,885; pueblo of Nambe, \$47,439.50; pueblo of Taos, \$84,707.09; pueblo of Santa Ana, \$2,908.38; pueblo of Santo Domingo, \$4,256.56; pueblo of Sandia, \$12,980.62; pueblo of San Felipe, \$14,954.53; pueblo of Isleta, \$47,751.31; pueblo of Picuris, \$66,574.40; pueblo of San Ildefonso, \$37,058.28; pueblo of San Juan, \$152,863.04; pueblo of Santa Clara, \$181.114,19; pueblo of Cochiti \$153,863.04; pueblo of Santa Clara, \$181,114.19; pueblo of Cochiti, \$37,826.37; pueblo of Pojoaque, \$68,562.61; in all, \$761,954.88:

Provided, however, That the Secretary of the Interior shall report back to Congress any errors or omissions in the foregoing authorizations measured by the present fair market value of the lands involved, as heretofore determined by the appraisals of said tracts by the appraisers appointed by the Pueblo Lands Board, with evidence supporting his report and recommendations.

SEC. 3. Pursuant to the aforesaid Act of June 7, 1924, there is Appropriation authorized to be appropriated, out of any money in the Treas-dian claimants for the pursuant of ury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants who have been found by the Pueblo Lands Board, created under said Act of June 7, 1924, to have occupied and claimed land in good faith but whose claim has not been sustained and whose occupation has been terminated under said Act of June 7, 1924, for the fair market value of lands, improvements appurtenant thereto, and water rights. The non-Indian claimants, or their successors, as found and reported by said Pueblo Lands Board, to be compensated out of said appropriations to be dis-bursed under the direction of the Secretary of the Interior in the amounts due them as appraised by the appraisers appointed by said Pueblo Lands Board, as follows:

Within the pueblo of Tesuque, \$1,094.64; within the pueblo of Nambe, \$19,393.59; within the pueblo of Taos, \$14,064.57; within the Tenorio Tract, Taos Pueblo, \$43,165.26; within the pueblo of Santa Ana (El Ranchito grant), \$846.26; within the pueblo of Santo Domingo, \$66; within the pueblo of Santo Domingo, \$66; within the pueblo of Santo Pueblo of San Felipe, \$16,424.68; within the pueblo of Isleta, \$6,624.45; within the pueblo of Picuris, \$11,464.73; within the pueblo of San Ildefonso, \$16,209.13; within the pueblo of San Juan, \$19,938.22; within the pueblo of Santa Clara, \$35,350.88; within the pueblo of Cochiti, \$9,653.81; within the pueblo of Pojoaque, \$1,767.26; within the pueblo of Laguna, \$30,668.87; in all, \$232,086.80: Provided, however, That the Secretary of the Interior reported. **reported.** reported.** measured by the present fair market value of the lands involved and any errors in the omissions of legitimate claimants for award, with evidence supporting his report and recommendations.

Sec. 4. That for the purpose of safeguarding the interests and welfare of the tribe of Indians known as the Pueblo de Taos of Segregated for benefit New Mexico in the certain lands hereinafter described, upon which of Indians. New Mexico in the certain lands hereinafter described, upon which lands said Indians depend for water supply, forage for their domestic livestock, wood and timber for their personal use and as the scene of certain of their religious ceremonials, the Secretary of Agriculture may and he hereby is authorized and directed to designate and segregate said lands, which shall not thereafter be subject to entry under the land laws of the United States, and to thereafter grant to said Pueblo de Taos, upon application of the governor and council thereof, a permit to occupy said lands and use the resources thereof for the personal use and benefit of said tribe of Indians for a period of fifty years, with provision for subsequent renewals if the use and occupancy by said tribe of Indians shall continue, the provisions of the permit are met and the continued protection of the watershed is required by public interest. Such permit shall specifically provide for and safeguard all rights and equities hitherto established and enjoyed by said tribe of Indians under any contracts or agreements hitherto existing, shall authorize the free use of wood, forage, and lands for the personal or tribal needs of said Indians, shall define the conditions under which natural resources under the control of Natural resources, the Department of Agriculture not needed by said Indians shall be not needed, available for commercial use. made available for commercial use by the Indians or others, and

Proviso.

Pueblos designated.

Established rights, etc., safeguarded.

Supervision.

shall establish necessary and proper safeguards for the efficient supervision and operation of the area for national forest purposes and all other purposes herein stated, the area referred to being described as follows:

Area described.

Beginning at the northeast corner of the Pueblo de Taos grant, thence northeasterly along the divide between Rio Pueblo de Taos and Rio Lucero and along the divide between Rio Pueblo de Taos and Red River to a point a half mile east of Rio Pueblo de Taos; thence southwesterly on a line half mile east of Rio Pueblo de Taos and parallel thereto to the northwest corner of township 25 north, range 15 east; thence south on the west boundary of township 25 north, range 15 east, to the divide between Rio Pueblo de Taos and Rio Fernandez de Taos; thence westerly along the divide to the east boundary of the Pueblo de Taos grant; thence north to the point of beginning; containing approximately thirty thousand acres, more

Protection of purchases, etc.

Provisos. gations to be made.

Securing options, abstracts of title, etc.

Purchase of available lands before issue of final patents in certain

Right to prosecute independent suits not abridged.
Vol. 43, p. 637.

SEC. 5. Except as otherwise provided herein the Secretary of the Interior shall disburse and expend the amounts of money herein authorized to be appropriated, in accordance with and under the terms and conditions of the Act approved June 7, 1924: Provided, Surveys and investing however, That the Secretary be authorized to cause necessary surveys then to be made. and investigations to be made promptly to ascertain the lands and water rights that can be purchased out of the foregoing appropriations and earlier appropriations made for the same purpose, with Purchases not limited to appraised val. full authority to disburse said funds in the purchase of said lands and water rights without being limited to the appraised values thereof as fixed by the appraisers appointed by the Pueblo Lands Board appointed under said Act of June 7, 1924, and all prior Acts limiting the Secretary of the Interior in the disbursement of said funds to the appraised value of said lands as fixed by said appraisers of said Pueblo Lands Board be, and the same are, expressly repealed: Provided further, That the Secretary of the Interior be, and he is hereby, authorized to disburse a portion of said funds for the purpose of securing options upon said lands and water rights and necessary abstracts of title thereof for the necessary period required to investigate titles and which may be required before disbursement can be authorized: Provided further, That the Secretary of the Interior be, and he is hereby, authorized, out of the appropriations of the foregoing amounts and out of the funds heretofore appropriated for the same purpose, to purchase any available lands within the several pueblos which in his discretion it is desirable to purchase, without waiting for the issuance of final patents directed to be issued under the provisions of the Act of June 7, 1924, where the right of Disbursements sub-ject to approval of Act of June 7, 1924, has expired: Provided further, That the Secre-Act of June 7, 1924, has expired: Provided further, That the Secretary of the Interior shall not make any expenditures out of the pueblo funds resulting from the appropriations set forth herein, or prior appropriations for the same purpose, without first obtaining the Initiating land pur- approval of the governing authorities of the pueblo affected: And chases by pueblo. provided further, That the governing authorities of any pueblo may initiate matters pertaining to the purchase of lands in behalf of their respective pueblos, which matters, or contracts relative thereto, will not be binding or concluded until approved by the Secretary of the Interior.

Sec. 6. Nothing in this Act shall be construed to prevent any pueblo from prosecuting independent suits as authorized under section 4 of the Act of June 7, 1924. The Secretary of the Interior is authorized to enter into contract with the several Pueblo Indian tribes, affected by the terms of this Act, in consideration of the

authorization of appropriations contained in section 2 hereof, providing for the dismissal of pending and the abandonment of contemplated original proceedings, in law or equity, by, or in behalf of Act of June 7, 1924 (43 Stat. L. 636), and the pueblo concerned may pensation. elect to accept the appropriations herein authorized, in the sums herein set forth, in full discharge of all claims to compensation under the terms of said Act, notifying the Secretary of the Interior in writing of its election so to do: *Provided*, That if said election by said pueblo be not made, said pueblo shall have one year from the made. date of the approval of this Act within which to file any independent suit authorized under section 4 of the Act of June 7, 1924, at the expiration of which period the right to file such suit shall expire by limitation: And provided further, That no ejectment suits shall against non-Indians. be filed against non-Indians entitled to compensation under this Act, in less than six months after the sums herein authorized are appropriated.

Sec. 7. Section 16 of the Act approved June 7, 1924, is hereby amended. Vol. 43, p. 641,

amended to read as follows:

"SEO. 16. That if the Secretary of the Interior deems it to be for Landsrecovered from the best interest of the Indians that any land adjudged by the court sold. or said Lands Board against any claimant be sold, he may, with the consent of the governing authorities of the pueblo, order the sale thereof, under such regulations as he may make, to the highest bidder for cash; and if the buyer thereof be other than the losing claimant, the purchase price shall be used in paying to such losing claimant the adjudicated value of the improvements aforesaid, if found under the provisions of section 15 hereof, and the balance thereof, if any, shall be paid over to the proper officer, or officers, of the Indian community, but if the buyer be the losing claimant, and the value of his improvements has been adjudicated as aforesaid, such buyer shall be entitled to have credit upon his bid for the value of such improvements so adjudicated."

SEC. 8. The attorney or attorneys for such Indian tribe or tribes shall be paid such fee as may be agreed upon by such attorney or attorneys and such Indian tribe or tribes, but in no case shall the fee be more than 10 per centum of the sum herein authorized to be appropriated for the benefit of such tribe or tribes, and such attorney's fees shall be disbursed by the Secretary of the Interior in accordance herewith out of any funds appropriated for said Indian tribe or tribes under the provisions of the Act of June 7, 1924 (43 Stat. L. 636), or this Act: Provided however, That 25 per centum of the amount agreed upon as attorneys' fees shall be retained by the Secretary of the Interior to be disbursed by him under the terms of the contract, subject to approval of the Secretary of the Interior, between said attorneys and said Indian tribes, providing for further services and expenses of said attorneys in furtherance of the objects set forth in section 19 of the Act of June 7, 1924.

SEC. 9. Nothing herein contained shall in any manner be construed Water rights not subto deprive any of the Pueblo Indians of a prior right to the use of nonuse, etc. water from streams running through or bordering on their respective pueblos for domestic, stock-water, and irrigation purposes for the lands remaining in Indian ownership, and such water rights shall not be subject to loss by nonuse or abandonment thereof as long as title to said lands shall remain in the Indians.

Sec. 10. The sums authorized to be appropriated under the terms SEC. 10. The sums authorized to be appropriated under the terms and provisions of section 2 of this Act shall be appropriated in three annual installments, beginning with the fiscal year 1937.

Compensation to be made in three annual installments.

Ante, p. 108. annual installments, beginning with the fiscal year 1937.

Approved, May 31, 1933.

Attorneys' fees.

Limitation.

Proviso. Future services.

[CHAPTER 46.]

AN ACT

June 3, 1933. [H.R. 4494.] [l'ublic, No. 29]

Authorizing a per capita payment of \$100 to the members of the Menominee Tribe of Indians of Wisconsin from funds on deposit to their credit in the Treasury of the United States.

Be it enacted by the Senate and House of Representatives of the Menominee Indians United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to withdraw to, from tribal funds. from the Indians to the United States on deposit to the credit of the Menominee Indians in the State of Wisconsin a sufficient sum to make therefrom a per capita payment or distribution of \$100, in three installments, \$50 immediately upon passage of this Act, \$25 on or about October 15, 1933, and \$25 on or about January 15, 1934, to each of the living members on the tribal roll of the Menominee Tribe of Indians of the State of Wisconsin, under such rules and regulations as the said Secretary may prescribe.

Approved, June 3, 1933.

[CHAPTER 47.]

JOINT RESOLUTION

June 5, 1933. [S.J.Res. 48.] [Pub. Res., No. 9.]

Authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

Resolved by the Senate and House of Representatives of the United
Posheng Yen, a citizen of China.
Admitted to Military Academy.
Prorisos.
No Federal expense.
Conditions.
Resolved by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Secretary of War
the States of America in Congress assembled, That the Secretary of War
the States of America in Congress assembled, That the Secretary of War
the Conditions of China.

Resolved by the Senate and House of Representatives of the United
States of America in Congress assembled, That the Secretary of War
the Congress assembled, That the Congress assembled, That the Secretary of War
the Congress assembled, That the Congress assembled, That the Congress assembled as the Congress assembled, That the Congress as the Congress as the Congress no expense shall be caused to the United States thereby, and that Posheng Yen shall agree to comply with all regulations for the police and discipline of the Academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that said Posheng Yen shall not be admitted to the Academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or in Oath and service, conduct and so recommended by the Academic Board: Provided Rs, sees. 1320. 1321, further, That in the case of said Posheng Yen the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended:

Existing lawrepealed. Provided further, That S.J.Res. 179, approved March 3, 1933, be, and the same is hereby, repealed. and the same is hereby, repealed.

Approved, June 5, 1933.

[CHAPTER 48.]

JOINT RESOLUTION

June 5, 1933. [H.J.Res. 192.] [Pub. Res., No. 10]

To assure uniform value to the coins and currencies of the United States.

Whereas the holding of or dealing in gold affect the public interest, and are therefore subject to proper regulation and restriction; and Uniform value coins and currencies.

Whereas the existing emergency has disclosed that provisions of obligations which purport to give the obligee a right to require obligations which purport to give the obligee a right to require payment in gold or a particular kind of coin or currency of the United States, or in an amount in money of the United States measured thereby, obstruct the power of the Congress to regulate the value of the money of the United States, and are inconsistent with the declared policy of the Congress to maintain at all times the equal power of every dollar, coined or issued by the United States, in the markets and in the payment of debts. Now, therefore, be it

Resolved by the Senate and House of Representatives of the Clauses in obligations United States of America in Congress assembled, That (a) every etc., payments declared provision contained in or made with respect to any obligation which icy purports to give the obligee a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of the United States measured thereby, is declared to be against public to be so expressed policy; and no such provision shall be contained in or made with respect to any obligation hereafter incurred. Every obligation, Payments to be made in legal tender. heretofore or hereafter incurred, whether or not any such provision is contained therein or made with respect thereto, shall be discharged upon payment, dollar for dollar, in any coin or currency which at the time of payment is legal tender for public and private debts. Conflicting provisions such provision contained in any law authorizing obligations to U.S.C. p. 1003. be issued by or under authority of the United States, is hereby invalidated. Conflicting provisions not invalidated. repealed, but the repeal of any such provision shall not invalidate any other provision or authority contained in such law.

(b) As used in this resolution, the term "obligation" means an Term "obligation" obligation (including every obligation of and to the United States, excepting currency) payable in money of the United States; and the term "coin or currency" means coin or currency of the United States, including Federal Reserve notes and circulating notes of

Federal Reserve banks and national banking associations.

SEC. 2. The last sentence of paragraph (1) of subsection (b) of National Economic section 43 of the Act entitled "An Act to relieve the existing national amended." economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended to read as follows:

"All coins and currencies of the United States (including Fed- Coins and currencies as legal tender." eral Reserve notes and circulating notes of Federal Reserve banks and national banking associations) heretofore or hereafter coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues, except that gold coins, when below the standard weight and limit of tolerance provided by law for the single piece, shall be legal tender only at valuation in proportion to their actual weight.

Approved, June 5, 1933, 4.40 p.m.

[CHAPTER 49.]

AN ACT

To provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order of public employment offices there is hereby created in the Department of Labor a bureau to be known as the United States Employment Service created in Department of Labor.

Major Time Composition of States Employment Service Created in Department of Labor.

Major Time Composition of Compos to promote the establishment and maintenance of a national system ment Service, at the head of which shall be a director. The director Appointment, etc., of shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$8,500 per annum.

(b) Upon the expiration of three months after the enactment of be abolished; personthis Act the employment service now existing in the Department nel and property transferred.

Existing service to be abolished; personnel and property transferred.

Labor shall be abolished; and all records, files, and property (including office equipment) of the existing employment service

No future obligation

"Coin or currency."

Ante, p. 52.

Abrased gold coins, according to weight.

June 6, 1933. [S. 510:] [Public, No. 30.]

National cooperative employment service.

86637 -- 54----8

Nο salary. etc.. changes.

Other expenditures authorized.

Veteran employment service Appointments in

Duty etc., of bureau to develop national em-ployment, etc.

Veterans agencies.

To assist in coordinating employment offices, etc.

Hawaii and Alaska included.

State action to obtain

Appropriation for fis-cal year 1934; thereafter. Post, p. 278

Apportionment among States

Use in establishing, etc., public employment offices.

shall thereupon be transferred to the United States Employment Service; and all the officers and employees of such service shall thereupon be transferred to the United States Employment Service

Assistant directors, officers, etc.
Not subject to civil service laws, to appoint and, without regard to the Classification service nor Classification Acts.
Vol. 42, p. 1488;
U.S.C., p. 65; Supp. VI, p. 31.
Other average of Classification or compensation.
Sec. 2. The Secretary of Labor is authorized, without regard to the Classification or compensation.
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Sec. 2. The Secretary of Labor is authorized, without regard to the Classification or compensation.
Act of 1923, as amended, to fix the compensation of one or more of the compensation of the compensation of the compensation.

Other average of the United States Employment Service or compensation.
Sec. 2. The Secretary of Labor is authorized, without regard to the Classification or compensation.

Act of 1923, as amended, to fix the compensation of one or more of the compensation of the Classification or compensation.

Other average of the Classification or compensation.

Sec. 2. The Secretary of Labor is authorized, without regard to the Classification or compensation.

Act of 1923, as amended, to fix the compensation of one or more of the compensation of the Classification or compensation. services and rent at the seat of government and elsewhere and for law books, books of reference, and periodicals) as may be necessary to carry out the provisions of this Act. In case of appointments for service in the veterans' employment service provided for in section 3 of this Act, the Secretary shall appoint only veterans of wars of the United States.

Sec. 3. (a) It shall be the province and duty of the bureau to promote and develop a national system of employment offices for men, women, and juniors who are legally qualified to engage in gainful occupations, to maintain a veterans' service to be devoted to securing employment for veterans, to maintain a farm placement service, to maintain a public employment service for the District of Columbia and, in the manner hereinafter provided, to assist in establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in which there shall be located a veterans' employment service. The bureau shall also assist in coordinating the public employment offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedure, furnishing and publishing information as to opportunities for employment and other information of value in the operation of the system, and maintaining a system for clearing labor between the several States.

(b) Whenever in this Act the word "State" or "States" is used it shall be understood to include the Territories of Hawaii and

Sec. 4. In order to obtain the benefits of appropriations apportioned under section 5, a State shall, through its legislature, accept the provisions of this Act and designate or authorize the creation of a State agency vested with all powers necessary to cooperate with the United States Employment Service under this Act.

Sec. 5. (a) For the purpose of carrying out the provisions of this Act there is hereby authorized to be appropriated (1) the sum of \$1,500,000 for the fiscal year ending June 30, 1934, (2) \$4,000,000 for each fiscal year thereafter up to and including the fiscal year ending June 30, 1938, (3) and thereafter such sums annually as the Congress may deem necessary. Seventy-five per centum of the amounts appropriated under this Act shall be apportioned by the director among the several States in the proportion which their population bears to the total population of the States of the United States according to the next preceding United States census, to be available for the purpose of establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof in accordance with the pro-Payments to States. visions of this Act. No payment shall be made in any year out of the amount of such appropriations apportioned to any State until an equal sum has been appropriated or otherwise made available for that year by the State, or by any agency thereof, including

appropriations made by local subdivisions, for the purpose of maintaining public employment offices as a part of a State-controlled system of public employment offices; except that the amounts so appropriated by the State shall not be less than 25 per centum of the apportionment according to population made by the director for such State for the current year, and in no event less than \$5,000. The balance of the amounts appropriated under this Act shall be administration, etc. available for all the purposes of this Act other than for apportion-

ment among the several States as herein provided.

(b) The amounts apportioned to any State for any fiscal year Apportionments shall be available for payment to and expenditure by such State, ceeding fiscal year; for the purposes of this Act, until the close of the next succeeding exception. fiscal year; except that amounts apportioned to any State for any fiscal year preceding the fiscal year during which is commenced the first regular session of the legislature of such State held after the enactment of this Act shall remain available for payment to and expenditure by such State until the close of the fiscal year next succeeding that in which such session is commenced. Subject to the Reapportionment of unexpended balances. foregoing limitations, any amount so apportioned unexpended at the end of the period during which it is available for expenditure under this Act shall, within sixty days thereafter, be reapportioned for the current fiscal year among all the States in the same manner and on the same basis, and certified to the Secretary of the Treasury and treasurers of the States in the same manner, as if it were being apportioned under this Act for the first time.

SEC. 6. Within sixty days after any appropriation has been made Certification of apportionments. under authority of this Act the director shall make the apportionment thereof as provided in section 5 and shall certify to the Secretary of the Treasury and to the treasurers of the several States the amount apportioned to each State for the fiscal year for which the

appropriation has been made.

Sec. 7. Within sixty days after any appropriation has been made measures taken by under the authority of this Act, and as often thereafter while such states. appropriation remains available as he deems advisable, the director shall ascertain as to each of the several States (1) whether the State has, through its legislature or its governor, as the case may be, accepted the provisions of this Act and designated or authorized the creation of an agency to cooperate with the United States Employment Service in the administration of this Act in compliance with the provisions of section 4 of this Act; and (2) the amounts, able by States, etc.

Funds made available by such State and by any agency thereof, including appropriations made by local subdivisions, in compliance with the provisions of section 5 of this Act. If the director finds that a State has complied Treasury on complimite with the requirements of such sections, and if plans have been ance by States.

Submitted and approved in compliance with the provisions of section 8 of this Act, the director shall determine the amount of the payments, if any, to which the State is entitled under the provisions of section 5, and certify such amount to the Secretary of the Treasury. Certificate to be sufficient warrant. Such certificate shall be sufficient authority to the Secretary of the Treasury to make payments to the State in accordance therewith.

SEC. 8. Any State desiring to receive the benefits of this Act shall, tails for making proviby the agency designated to cooperate with the United States Emsions effective.

ployment Service, submit to the director detailed plans for carrying out the provisions of this Act within such State. In those States State providing vocational rehabilitation. where a State board, department, or agency exists which is charged with the administration of State laws for vocational rehabilitation of physically handicapped persons, such plans shall include provision for cooperation between such board, department, or agency and

Minimum.

State agencies to re-port operations, etc.

Efficiency of office to be ascertained by director.

certificate.

Notice required.

Appeal to Secretary of Labor allowed.

Expenditures in State by Director.

establish State system of employment.

Termination of authority to extend benefits.

Travel and subsistance allowed.

Access to files, rec-

the agency designated to cooperate with the United States Employ-Approval if plans ment Service under this Act. If such plans are in conformity with conform to provisions of this Act and reasonably appropriate and adequate to carry out its purposes, they shall be approved by the director and due notice of such approval shall be given to the State agency.

SEC. 9. Each State agency cooperating with the United States Employment Service under this Act shall make such reports concerning its operations and expenditures as shall be prescribed by the director. It shall be the duty of the director to ascertain whether the system of public employment offices maintained in each State is conducted in accordance with the rules and regulations and the standards of efficiency prescribed by the director in accordance with the provisions of this Act. The director may revoke any existing certificates or withhold any further certificate provided for in section 7, whenever he shall determine, as to any State, that the cooperating State agency has not properly expended the moneys paid to it or the moneys herein required to be appropriated by such State, in accordance with plans approved under this Act. Before any such certificate shall be revoked or withheld from any State, the director shall give notice in writing to the State agency stating specifically wherein the State has failed to comply with such plans. The State wherein the State has failed to comply with such plans. The State agency may appeal to the Secretary of Labor from the action of the director in any such case, and the Secretary of Labor may either affirm or reverse the action of the director with such directions as he shall consider proper.

SEC. 10. During the current fiscal year and the two succeeding fiscal years the Director is authorized to expend in any State so much of the sum apportioned to such State according to population, and so much of the unapportioned balance of the appropriation made under the provisions of section 5 as he may deem necessary,

(a) In States where there is no State system of public employment offices, in establishing and maintaining a system of public

employment offices under the control of the Director. When State system exists, but cooperative requirements not met.

(b) In States where there is a State system of public employment offices, but where the State has not complied with the provisions of Ante, p. 114.

(c) Ante, p. 114.

(d) In States where there is a State system of public employment offices, but where the State has not complied with the provisions of Ante, p. 114. (b) In States where there is a State system of public employment section 4, in establishing a cooperative Federal and State system of public employment offices to be maintained by such officer or board and in such manner as may be agreed upon by and between the Governor of the State and the Director.

The authority contained in this section shall terminate at the expiration of the period specified in the first paragraph of this section, and thereafter no assistance shall be rendered such States until the legislatures thereof provide for cooperation with the United States Employment Service as provided in section 4 of this

Tederal Advisory Council.
Composition, purcil composed of men and women representing employers and employees in equal numbers and the public for the purpose of formuployees in equal numbers and the public for the purpose of formulating policies and discussing problems relating to employment and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems. Members of such council shall be selected from time to time in such manner as the director shall prescribe and shall serve without compensation, but when attending meetings of the council they shall be allowed necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, within the limitations prescribed by law for civilian employees in the executive branch of the Government. The council shall have access to all files and records of the United States Em-.

ployment Service. The director shall also require the organization organized. of similar State advisory councils composed of men and women representing employers and employees in equal numbers and the public.

(b) In carrying out the provisions of this Act the director is Notices of strikes, authorized and directed to provide for the giving of notice of strikes or lockouts to applicants before they are referred to employment.

Sec. 12. The director, with the approval of the Secretary of scribed. Labor, is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 13. The Postmaster General is hereby authorized and di- extended. rected to extend to the United States Employment Service and to the system of employment offices operated by it in conformity with the provisions of this Act, and to all State employment systems which receive funds appropriated under authority of this Act, the privilege of free transmission of official mail matter.

Approved, June 6, 1933.

Rules to be pre-

[CHAPTER 50.]

AN ACT

To amend the Act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth.

June 7, 1933. [S. 1581.] [Public, No. 31.]

Be it enacted by the Senate and House of Royal United States of America in Congress assembled, That the Act of ternational tribunals. Vol. 46, p. 1005, 1005 July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth, be, and the same is hereby, amended by adding at the end thereof the follow-

ing additional sections:

"Sec. 5. That the agent of the United States before any interna- States agent. tional tribunal or commission, whether previously or hereafter established, in which the United States participates as a party whenever he desires to obtain testimony or the production of books and papers by witnesses may apply to the United States district court for the district in which such witness or witnesses reside or may be found, for the issuance of subponas to require their attendance and testi- Application for issue of subponas. mony before the United States district court for that district and the production therein of books and papers, relating to any matter or claim in which the United States on its own behalf or on behalf of any of its nationals is concerned as a party claimant or respondent before such international tribunal or commission.

"Sec. 6. That any United States district court to which such District courts to enforce compliance. application shall be made shall have authority to issue or cause to be issued such subpænas upon the same terms as are applicable to the issuance of subportas in suits pending in the United States district court, and the clerk thereof shall have authority to administer oaths respecting testimony given therein, and the marshal thereof shall serve such subpænas upon the person or persons to whom they are directed. The hearing of witnesses and taking of their testimony Hearings before and the production of books and papers pursuant to such subpænas court. shall be before the United States district court for that district or before a commissioner or referee appointed by it for the taking of such testimony, and the examination may be oral or upon written interrogatories and may be conducted by the agent of the United States or his representative. Reasonable notice thereof shall be opposing governments. given to the agent or agents of the opposing government or governments concerned in such proceedings who shall have the right to be

amended.

Post, p 279

Service of writ.

Examinations.

Reasonable notice to

Certified transcript of both to agents parties.

present in person or by representative and to examine or cross-examine such witnesses at such hearing. A certified transcript of such testimony and any proceedings arising out of the issuance of such subpœnas shall be forwarded by the clerk of the district court to the agent of the United States and also to the agent or agents of the

Perjury. Punishment for.

opposing government or governments, without cost.

"Sec. 7. That every person knowingly or willfully swearing or affirming falsely in any testimony taken in response to such subpœnas shall be deemed guilty of perjury, and shall, upon conviction thereof, suffer the penalty provided by the laws of the United States for that offense when committed in its courts of justice. Any failure to attend and testify as a witness or to produce any book or paper which is in the possession or control of such witness, pursuant to such subpœna, may be regarded as a contempt of the court and shall be punishable as a contempt by the United States district court in the same manner as is provided by the laws of the United States for that offense in any other proceedings in its courts of justice.

"Sec. 8. For the purposes of sections 5, 6, and 7 of this Act, the

Failure to comply with subpœna deemed contempt.

Jurisdiction of D.C. Supreme Court.

Supreme Court of the District of Columbia shall be considered to be a district court of the United States."

Approved, June 7, 1933.

[CHAPTER 51.]

AN ACT

June 9, 1933. [S. 1278.] [Public, No. 32.] To amend an Act (Public, Numbered 431, Sevensy-Sec. The Dalles Bridge Company. Numbered 431, Seventy-second Congress) to identify

Company,
Identification of.
Vol. 47, p. 1552,
amended

Be it enacted by the Senate and House of Representatives of the The Dalles Bridge United States of America in Congress assembled, That an Act to authorize the construction of certain bridges over navigable waters of the United States, approved March 4, 1933 (Public, Numbered 431, Seventy-second Congress), be amended by adding to section 2a the words "a Washington corporation", immediately following the words "The Dalles Bridge Company."

Approved, June 9, 1933.

[CHAPTER 52.]

AN ACT

June 9, 1933. [S. 1815.] [Public, No. 33.]

To extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Kentucky.

vol. 47, p. amended.

Amendment.

Be it enacted by the Senate and House of Representatives of the Ohio River.

Time extended for commencing and completing the construction of a bridge across the restriction of the construction of the constructi United States of America in Congress assembled, That the times for by the State Highway Commission of Kentucky by an Act of Congress approved June 9, 1932, are hereby extended one and three years, respectively, from June 9, 1933.

SEC. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 9, 1933.

[CHAPTER 53.]

AN ACT

Amending section 1 of the Act entitled "An Act to provide for stock-raising homesteads, and for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat.

June 9, 1933. [S. 604.] [Public, No. 34.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Stockraising the Act entitled "An Act to provide for stock-raising homesteads, and stead entities. for other purposes" approved December 29, 1916 (ch. 9, par. 1, 39, Vol. 39, Landson 1, 20, Vol. 39, Landson 29, Lands for other purposes", approved December 29, 1916 (ch. 9, par. 1, 39 Vol. 39, p. 862; Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. U.S.C., p. 1348; Supp. 1454) be appropriate to read as follows: 1454), be amended to read as follows:

"From and after December 29, 1916, it shall be lawful for any Entry on unapproperson qualified to make entry under the homestead laws of the United States to make a stock-raising homestead entry for not exceeding six hundred and forty acres of unappropriated unreserved public lands in reasonably compact form: Provided, however, That the land so entered shall theretofore have been designated by the lands.

Oil and gas lands Secretary of the Interior as 'stock-raising lands': Provided further, oil and That for the purposes of this section lands withdrawn or reserved solely as valuable for oil or gas shall not be deemed to be appropriated or reserved: *Provided further*, That the provisions of this section shall not apply to naval petroleum reserves and naval oil-shale

reserves: And provided further, That should said lands be within Lands within the limits of the geological structure of a producing oil or gas field entry can only be allowed, in the discretion of the Secretary of the Interior, in the absence of objection after due notice by the lessee or permittee, and any patent therefor shall contain a reservation to the United States of all minerals in said lands and the right to

Provisos. Classification of

Approved, June 9, 1933.

prospect for, mine, and remove the same."

[CHAPTER 55.]

AN ACT

To authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other

June 10, 1933. [S. 1094.] [Public, No. 35.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the no longer operative by proclamation of the President, and notwithstanding any other provision of any other law, if, in the opinion of the Secretary of the Treasury, any insurance company of any State of the United States is in need of funds for capital purpose. either in connection with the organization of such company or otherwise, he may, with the approval of the President, request the Reconstruction Finance Corporation to subscribe for preferred stock of any class, exempt from assessment or additional liability, in such insurance company, or to make loans secured by such stock as collateral, and the Reconstruction Finance Corporation may comply with such request. The Reconstruction Finance Corporation may, Subsequent resale with the approval of the Secretary of the Treasury and under such rules and regulations as he may prescribe, sell in the open market the whole or any part of the preferred stock of any such insurance company acquired by the corporation pursuant to this section. The face value of total face amount of loans outstanding, preferred stock subscribed tion's holdings. for, and capital notes purchased and held by the Reconstruction

Insurance compa-

Approval of President required.

Restriction on total ace value of Corpora-

Amount of obliga-ons authorized to sue, increased. Vol. 47, p. 9.

Purchase of notes, when State laws pro-hibit preferred-stock issues, etc.

Post, p 1111.

Loans upon preferred stock or capital notes.

Agreements required of Company.

Renewals of loans by Corporation; when shall be denied.

If compensation of officer, etc. excessive.

Agreement not increase, required.

Finance Corporation, under the provisions of this section and section 2, shall not exceed at any one time \$50,000,000, and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section and section 2.

SEC. 2. In the event that any such insurance company shall be incorporated under the laws of any State which does not permit it to issue preferred stock, exempt from assessment or additional liability, or if such laws permit such issue of preferred stock only by unanimous consent of stockholders, or upon notice of more than twenty days, the Reconstruction Finance Corporation is authorized for the purposes of this Act to purchase the legally issued capital notes of such insurance company or to make loans secured by such notes as collateral, which may be subordinated in whole or in part

or to any degree to claims of other creditors.

SEC. 3. The Reconstruction Finance Corporation shall not sub-Conditions of purchase or leans by Corporation.

Sec. 3. The Reconstruction Finance Corporation shall not subscribe for or purchase any preferred stock or capital notes of any applicant insurance company, (1) until the applicant shows to the stock.

New capital may be satisfaction of the Corporation that it has unimpaired capital stock, furnished.

stock or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will furnish new capital which it is a principle or that it will be a principle or the principle or that it w preferred stock or capital notes to be subscribed for or purchased by the Corporation, equal to the amount of said preferred stock or capital notes so subscribed for or purchased by the Corporation: Provided, That the Corporation may make loans upon said preferred stock or capital notes, if, in its opinion, such loans will be Compensation of adequately secured by said stock or capital notes, and/or such other Company officers, etc., forms of security as the Corporation may require; (2) if at the time of such subscription, purchase, or loan any officer, director, or employee of the applicant is receiving total compensation in a sum in excess of \$17.500 per annum from the applicant and/or any of its affiliates, and (3) unless at such time the applicant agrees to the satisfaction of the Corporation not to increase the compensation of any of its officers, directors, or employees, and not to retire any of its stock, notes, bonds, or debentures issued for capital purposes, while any part of the preferred stock, notes, bonds, or debentures of such "Compensation", company is held by the Corporation. For the purposes of this section, the term "compensation" includes any salary, fee, bonus, commission, or other payment, direct or indirect, in money or otherwise, for personal services.

SEC. 4. The Reconstruction Finance Corporation shall not make, renew, or extend any loan under the Reconstruction Finance Corporation Act, as amended, or under the Emergency Relief and Construction Act of 1932, (1) if at the time of making, renewing, or extending such loan any officer, director, or employee of the applicant is receiving compensation at a rate in excess of what appears reasonable to the Reconstruction Finance Corporation, and (2) unless at such time the applicant agrees to the satisfaction of the Corporation not to increase the compensation of any of its officers, directors, or employees to any amount in excess of what appears reasonable to the Reconstruction Finance Corporation while such loan is outstanding and unpaid. For the purposes of this section the term "compensation" includes any salary, fee, bonus, commission, or other payment, direct or indirect, in money or otherwise for personal

services.

SEC. 5. That the second and third sentences of paragraph (6) of section 201 (a) of the Emergency Relief and Construction Act of 1932, as amended, are hereby amended to read as follows: "Obliga-

Emergency Relief and Construction Act of 1932, amendment. Ante, pp. 20, 99. Post, p. 283.

tions accepted hereunder shall be collateraled (a) in the case of loans for repair of for the repair or reconstruction of private property, by the obligations of the owner of such property secured by a paramount lien of the property of the owner of such property secured by a paramount lien of the owner of such property secured by a paramount lien of the owner of such property secured by a paramount lien of the owner of such property of the owner of such property of the owner of such property secured by a paramount lien of the owner of such property of the owner of such property secured by a paramount lien of the owner of such property of the owner of such property secured by a paramount lien of the owner of such property secured by a paramount lien of the owner of such property secured by a paramount lien of the owner of such property of the owner of such property secured by a paramount lien of the owner of such property of the owner of such property secured by a paramount lien of the owner of such property of the owner owner of such property of the owner of such property of the owner ow except as to taxes and special assessments on the property repaired borrower as collateral. or reconstructed, or on other property of the borrower, and (b) in the case of municipalities or political subdivisions of States or their Public school boards public agencies, including public-school boards and public-school districts, by an obligation of such municipality, political subdivision, public agency, public-school board, or public-school district. The Application for, not Corporation shall not deny an otherwise acceptable application for tional, etc., inhibitions loans for repair or construction of the buildings of municipalities affecting collateral. loans for repair or construction of the buildings of municipalities, political subdivisions, public agencies, public-school boards, or public-school districts because of constitutional or other legal inhibitions affecting the collateral."

SEC. 6. The fourth sentence of paragraph (6) of section 201 (a) Maturities of collisions. Such Act, as amended, is hereby amended by striking out the Ante, pp. 20, 99, 120.

Post, p. 283. of such Act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof the following: "in case of loans made under clause (a) of this paragraph, and not exceeding twenty years in case of loans made under clause (b)."

SEC. 7. The fifth sentence of paragraph (6) of section 201 (a) of Security; loans to such Act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the secured. following: "and, in case of loans made under clause (b), shall be deemed to be so secured if, in the opinion of the Reconstruction Finance Corporation, such loans will be repaid from any source, including taxation, within a reasonable period, not exceeding twenty

Sec. 8. The seventh sentence of paragraph (6) of section 201 (a) of such Act, as amended, is hereby amended to read as follows: "The aggregate of loans made under clause (a) shall not exceed \$5,000,000, and the aggregate of loans made under clause (b) shall not exceed \$12,000,000."

SEC. 9. The first sentence in section 201 (a) of such Act, as vos amended, which follows paragraph (6) thereof is hereby amended by ects. striking out the period at the end of such sentence and inserting in lieu thereof a comma and the following: "except that for the purposes of clause (b) of paragraph (6) of this subsection a project shall be deemed to be self-liquidating if the construction cost thereof will be returned by any means, including taxation, within a reason-

able period, not exceeding twenty years."

SEC. 10. That an Act entitled "An Act to provide emergency nance Corporation Act financing facilities for financial institutions, to aid in financing agriamendment.

Yol. 47, pp. 8, 709. financing facilities for financial institutions, to aid in financing agriculture, commerce, and industry, and for other purposes", approved Vol. 47, pp. 8, 709.

January 22, 1932, and amended by an Act approved July 21, 1932, be further amended by adding at the end of section 5 thereof the following: "Provided further, That the Corporation may make said loans to trustees of railroads which proceed to reorganize under section 77 of the Bankruptcy Act of March 3, 1933."

Sec. 11. As used in this Act the term "insurance company" shall pany corporation engaged in the business of insurance or in "Insurance company", construed.

include any corporation engaged in the business of insurance or in the writing of annuity contracts, irrespective of the nature thereof, and operating under the supervision of a State superintendent or department of insurance in any of the States of the United States.

Sec. 12. Section 5 of the Reconstruction Finance Corporation Act, as amended, is amended by adding at the end thereof the following

new paragraph:
"The Reconstruction Finance Corporation is further authorized ance fund. and empowered to make loans if adequately secured to any State insurance fund established or created by the laws of any State for the

Municipalities, etc.

When deemed fully

Ante, pp. 20, 99, 120. Post, p. 283. Aggregate of loans. Amount increased.

Vol. 47, p. 712. Self-liquidating proj-

Municipalities, etc.

Vol. 47, p. 8.

Loans to State insur-

"State", construed.

purpose of paying or insuring payment of compensation to injured workmen and those disabled as a result of disease contracted in the course of their employment, or to their dependents. As used in this paragraph, the term 'State' includes the several States and Alaska, Hawaii, and Puerto Rico."

Vol. 47, p. 8.

SEC. 13. Section 5 of the Reconstruction Finance Corporation Act. as amended, is amended by adding at the end thereof the following

Loans to fund created to insure repayment of public money of State, etc.

new paragraph:

Time of loans; terms and conditions.

Assignment of rights accruing on liquidation, etc., of depository.

"State", construed.

A mendment. Separability of pro-visions.

"The Reconstruction Finance Corporation is further authorized and empowered to make loans if adequately secured to any fund created by any State for the purpose of insuring the repayment of deposits of public moneys of such State or any of its political subdivisions in banks or depositories qualified under the law of such State to receive such deposits. Such loans may be made at any time prior to January 23, 1934, and upon such terms and conditions as the corporation may prescribe; except that any fund which receives a loan under this paragraph shall be required to assign to the corporation, to the extent of such loan, all amounts which may be received by such fund as dividends or otherwise from the liquidation of any such bank or depository in which deposits of such public moneys were made. As used in this paragraph, the term 'State' includes the several States and Alaska, Hawaii, and Puerto Rico."

SEC. 14. The right to alter or amend or repeal this Act is hereby expressly reserved. If any provision of this Act, or the application thereof to any person, firm, association, or corporation, is held invalid, the remainder of the Act, and the application of such provision to any other person, firm, association, or corporation, shall not be affected thereby.

Approved, June 10, 1933.

[CHAPTER 56.]

AN ACT

June 10, 1933. [S. 1562.] [Public, No. 36.]

Granting the consent of Congress to the Levy Court of Sussex County, Delaware, to reconstruct, maintain, and operate a free highway bridge across the Deeps Creek at Cherry Tree Landing, Sussex County, Delaware.

Deeps Creek, Del. Sussex County may bridge, at Cherry Tree

Construction. Vol. 34, p. 84

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Levy Court of Sussex County, Delaware, its successors and assigns, to reconstruct, maintain, and operate a free highway bridge and approaches thereunto across the Deeps Creek, being a part of a navigable river from Concord, Delaware, to the Chesapeake Bay, at a point suitable to the interests of navigation, at or near Cherry Tree Landing, in the county of Sussex, State of Delaware, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Approved, June 10, 1933.

[CHAPTER 57.]

AN ACT

June 10, 1933. [H.R. 4220.] [Public, No. 37.]

For the protection of Government records.

Be it enacted by the Senate and House of Representatives of the Government records. United States of America in Congress assembled, That whoever, by Penalty for publication another or shall have custody of or access to or shall have had custody another or shall have custody of or access to, or shall have had custody of or access to, any official diplomatic code or any matter prepared in any such code, or which purports to have been prepared in any such code, and shall willfully, without authorization or competent authority, publish or furnish to another any such code or matter, or any matter which was obtained while in the process of transmission between any foreign government and its diplomatic mission in the United States, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

Approved, June 10, 1933.

[CHAPTER 58.]

AN ACT

To amend existing law in order to obviate the payment of one year's sea pay to surplus graduates of the Naval Academy.

June 10, 1933 [H.R. 5012.] [Public, No. 38.]

Be it enacted by the Senate and House of Representatives of the the Act of August 5, 1882 (22 Stat. 285, ch. 391), as is contained in the proviso at the end of section 1057, title 34, United States Code, is hereby amended by repealing the words "and one year's sea pay", so that the said proviso will read as follows: "Provided, That if there be a surplus of graduates, those who do not receive and the said proviso will read as follows: "Provided, That if there be a surplus of graduates, those who do not receive and the said proviso will read as follows: "Provided, That if there be a surplus of graduates, those who do not receive and the said proviso will read as follows: "Provided, That if there be a surplus of graduates, those who do not receive and the said proviso will read as follows: "Provided, That if there is a surplus of graduates, those who do not receive one particles of the said proviso will read as follows: "Provided, That if appointments shall be given a certificate of graduation and an honorable discharge."

Approved, June 10, 1933.

[CHAPTER 59.]

AN ACT

To promote the foreign trade of the United States in apples and/or pears, to protect the reputation of American-grown apples and pears in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes.

June 10, 1933. [H.R. 4812.] [Public, No. 39.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be Apples and pears, unlawful for any person to ship or offer for shipment or for any steamship company, or any person to transport or without certificate, unlawful.

Apples and pears, Shipment for export, Shipment for export, without certificate, unlawful. receive for transportation to any foreign destination, except as provided in this Act, any apples and/or pears in packages which are not accompanied by a certificate issued under authority of the Secretary of Agriculture showing that such apples or pears are of a Federal or State grade which meets the minimum of quality established by the Secretary for shipment in export. The Secretary is Regulations to be authorized to prescribe, by regulations, the requirements, other than tary of Agriculture. lished by the Secretary for shipment in export. The Secretary is those of grade, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing to determine or otherwise, for interested persons to examine and make recommen-port dation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this Act.

Sec. 2. The Secretary shall give reasonable notice through one or more trade papers of the effective date of standards of export established or designated by him under this Act: Provided, That any apples or pears may be certified and shipped for export in fulfillment filling authorized. of any contract made within six months prior to the date of such shipment if the terms of such contract were in accordance with the grades and regulations of the Secretary in effect at the time the contract was made.

Notice of standard.

Proviso.

Standards or requirements of foreign governments.

Inspection to determine compliance.

Shipments less than carload lots.

Fees for inspection,

Provisos.
Availability.

dmissability of Admissaumy of certificates as evidence.

Refusal to issue cer-tificates if unlawful shipments made.

Rules, etc., by Secre-

cers, etc.

Expenditures for printing and binding,

Statutes dealing with same subjects not abrogated.

Separability of Act.

Terms construed.

"Secretary of Agri-

"Person"

SEC. 3. Where the government of the country to which the shipment is to be made has standards or requirements as to condition of apples or pears the Secretary may in addition to inspection and certification for compliance with the standards established or designated hereunder inspect and certify for determination as to compliance with the standards or requirements of such foreign government and may provide for special certificates in such cases.

Sec. 4. Apples or pears in less than carload lots as defined by the Secretary may, in his discretion, be shipped to any foreign country

without complying with the provisions of this Act.

SEC. 5. For inspecting and certifying the grade, quality, and/or condition of apples and/or pears the Secretary shall cause to be collected a reasonable fee which shall as nearly as may be cover the cost of the service rendered: *Provided*, That when cooperative arrangements satisfactory to the Secretary, or his designated representative, for carrying out the purposes of this Act cannot be made the fees collected hereunder in such cases shall be available until expended to defray the cost of the service rendered, and in such cases the limitations on the amounts expended for the purchase and maintenance of motor-propelled passenger-carrying vehicles shall not be applicable: Provided further, That certificates issued by the authorized agents of the United States Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

Sec. 6. After opportunity for hearing the Secretary is authorized to refuse the issuance of certificates under this Act for periods not exceeding ninety days to any person who ships or offers for shipment any apples and/or pears in foreign commerce in violation of Penalty for viola any of the provisions of this Act. Any person or any common carrier or any transportation agency knowingly violating any of the provisions of this Act shall be fined not less than \$100 nor more than

\$10,000 by a court of competent jurisdiction.
Sec. 7. The Secretary may make such rules, regulations, and orders as may be necessary to carry out the provisions of this Act, and may cooperate with any department or agency of the Government, any Cooperation with State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, whether operating in one or more jurisdictions; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses including reporting services, as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress. This Act shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this Act; but it is intended that all such statutes shall remain in full force and effect except in so far as they are inconsistent herewith or repugnant hereto.

> Sec. 8. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Sec. 9. That when used in this Act—
(1) The term "person" includes individuals, partnerships, corporations, and associations.

(2) The term "Secretary of Agriculture" means the Secretary of Agriculture of the United States.

(3) Except as provided herein, the term "foreign commerce". means commerce between any State, or the District of Columbia, and any place outside of the United States or its possessions.

(4) The term "apples and/or pears" means fresh whole apples "Apples pears."

com-

or pears, whether or not they have been in storage.

and/or

Approved, June 10, 1933.

[CHAPTER 60.]

JOINT RESOLUTION

Extending for one year the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission.

June 12, 1933. [H.J.Res. 183] [Pub. Res , No. 11]

(g) of section 2 and subsection (f) of section 5 of the Settlement of War Claims Act of 1928, as amended by Public Resolution Numbered 27, Seventy-second Congress, approved June 14, 1932, are further amended, respectively, by striking out the words "five years"

Settlement of War Claims Act.

Time for making applications for payment, by American claimants, extended. Vol. 47, p. 318, amended.

Wherever such words appear therein and inserting in lieu themes amended.

Post p. 1010

Post p. 1010 Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection wherever such words appear therein and inserting in lieu thereof the words "six years."

Approved, June 12, 1933.

[CHAPTER 61.]

AN ACT

To amend sections 4399, 4418, 4428, 4429, 4430, 4431, 4432, 4433, and and 4434 of the Revised Statutes, as amended, relating to the construction and inspection of boilers, unfired pressure vessels, and the appurtenances thereof.

June 13, 1933. [S. 1129.] [Public, No. 40.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 4399, Section of bollers, 4418, 4428, 4429, 4430, 4431, 4432, 4433, and 4434 of the Revised unfired pressure vessels, Statutes, as amended (U.S.C., title 46, secs. 361, 392, 406, 407, 408, CR R S., secs. 4390, 4418, 409, 410, 411, and 412), be, and the same are hereby, amended to read 4232-434, pp. 852, 856. Sec. 4610-475.

as follows:
"Sec. 4399. Every vessel subject to inspection propelled in whole Steamvessels of or in part by steam or by any other form of mechanical or electrical power shall be considered a steam vessel within the meaning of and subject to all of the provisions of this Act: Provided, however, That motor boats as defined in the Act of June 9, 1910, are exempt from

the provisions of this Act.

"Sec. 4418. The local inspectors shall also inspect, before the same sure vessels, etc. Vol. 33, p. 1027. unfired pressure vessels, and appurtenances thereof, also the propelling and auxiliary machinery, electrical apparatus and equipment, trical equipment, etc. of all vessels subject to inspection; and the inspectors shall satisfy be made. themselves by thorough examination that the same are in conformity with law and the rules and regulations of the board of supervising inspectors, and may be safely employed in the service proposed. No boiler, unfired pressure vessel, or appurtenances thereof shall be allowed to be used if constructed in whole or in part of defective material or which because of its form, design, workmanship, age, use, or for any other reason is unsafe. At each annual inspection all boilers, unfired pressure vessels, and main steam piping shall be subjected to hydrostatic tests or such other tests as may be prescribed by the board of supervising inspectors. The ratio of the hydrostatic test to the maximum working pressure shall be determined by action scribed.

Hydrostatic tests.
Ratio of, to be prescribed. of the board of supervising inspectors.

1489,

Steam vessels defined.

Proviso.

Motor boats exempt.
Vol. 36, p. 462; U.S. C.

Boilers, unfired pres-

Examination, etc., to

Defective vessels, boilers, etc.

¹ So in original.

Material used to be inspected, stamped, etc

"Sec. 4428. All boilers and unfired pressure vessels constructed of iron or steel plates or other approved metals for use on vessels subject to inspection shall be made of material that has been tested, inspected, and stamped in accordance with the requirements of this Act.

Punishment for faulty boiler, etc., construction.

"Sec. 4429. Any person, firm, or corporation who constructs a boiler, or steam pipe connecting the boilers, or an unfired pressure vessel for use on vessels subject to inspection, of iron or steel plates or other approved metals which have not been duly tested, inspected, and stamped according to the provisions of this Act and the requirements of the board of supervising inspectors; or who knowingly uses any defective material in the construction of such boiler, steam pipe, or pressure vessel; or who drifts any rivet hole to make it come fair; or who delivers any such boiler, steam pipe, or pressure vessel for use, knowing it to be defective in design, material, or constructive time time time, shall be fined \$1,000. Nothing in this Act shall be so construed as to prevent from being used on such vessels any boiler, steam generator, steam pipe, or unfired pressure vessel which may not be constructed of riveted iron or steel plates: *Provided*, That scientific data and facts are submitted to enable the board of supervising inspectors to satisfy themselves that such boiler, steam generator, or pressure vessel is equal in strength and as safe from explosion as one of the best quality of iron or steel plates of riveted construction: Temporary permits. Provided, however, That the Secretary of Commerce may grant permission to use any boiler, steam generator, or unfired pressure vessel not of iron or steel plate riveted construction upon the certificate of the supervising inspector for the district wherein such boiler, steam generator, or pressure vessel is to be used, and other satisfactory proof that the use of the same is safe and efficient, said permit to be valid until the next regular meeting of the board of supervising inspectors who shall act thereon: Provided further, That such boilers, steam generators, or pressure vessels may be constructed with seamless shells or by means of any approved method of welding governed by the rules and regulations prescribed by the board of

Provisos.
Subject to approval of Board.

Approved seamless shells.

Boiler plates, etc., inspection.

Use of unapproved material forbidden.

Proviso.
Small unfired pressure vessels exempted.

Inspection at the mills, added.

Official stamp of approval.

Acceptance of, local inspectors.

supervising inspectors.

"Sec. 4430. All iron or steel plates, or other material used in the construction of boilers or unfired pressure vessels for use on vessels subject to inspection shall be tested and inspected in such manner as shall be prescribed by the board of supervising inspectors and Tensile stress, etc., approved by the Secretary of Commerce, so as to enable the inspecto be tested. tors to ascertain the tensile strength, homogeneity, toughness, and ability to withstand the effect of repeated heating and cooling; and no plate or other material shall be used in the construction of such boilers or pressure vessels which has not been tested, inspected, and approved under the rules and regulations of the board of supervising inspectors: Provided, however, That small unfired pressure vessels having diameters not exceeding thirty inches and subject to a maximum allowable working pressure not exceeding one hundred pounds per square inch shall be exempt from this requirement.

"The Director of the Bureau of Navigation and Steamboat Inspection may, under the direction of the Secretary of Commerce, detail inspectors to inspect iron or steel plates or other material at the mills where the same are manufactured; and if such plates or material are found in accordance with the rules of the board of supervising inspectors, the inspector shall stamp the same with the initials of his name and the official stamp of the Bureau of Navigation and by Steamboat Inspection, which stamp shall be authorized by the board of supervising inspectors; and material so stamped shall be accepted by the local inspectors of the various districts as being in full compliance with the requirements of this section regarding the test and inspection of such plates and material: Provided, That any person, firm, or corporation who affixes any false, forged, fraudulent, spurious, or counterfeit of the stamp herein authorized to be put on by an Provise.

Counterfeiting, etc., stamp a felony.

Punishment for. inspector shall be deemed guilty of a felony and shall be fined not less than \$1,000 nor more than \$5,000 and imprisoned not less than

two years nor more than five years.

"Sec. 4431. Every plate of iron or steel, made for use in the construction of boilers, unfired pressure vessels, or riveted steam pipe Pressure vessels shall be distinctly and permanently stamped by the manufacturer thereof, and, if practicable, in such places that the marks shall be left visible when such plates are assembled, with the name of the manufacturer, and the minimum tensile strength in pounds per square inch, and the inspectors shall keep a record in their office of the stamps upon all plates, material, and boilers which they

inspect.

"Sec. 4432. Any person, firm, or corporation who counterfeits, or counterfeiting stamps or marks.

"Sec. 4432. Any person, firm, or corporation who counterfeits, or counterfeiting stamps or marks." for iron or steel plates or other material tested and inspected under this Act, or who designedly stamps, or causes to be stamped falsely, any such plates or material; and every person who stamps or marks, or causes to be stamped or marked, any such plates or material with the name or trade-mark of another, with the intent to mislead or deceive, shall be fined \$2,000, and may in addition thereto, at the discretion of the court, be imprisoned not exceeding two years.

"Sec. 4433. The board of supervising inspectors is hereby allowable." empowered to prescribe formulas, rules, and regulations for the design, material, and construction of boilers, unfired pressure vessels, so and appurtenances thereof, and steam piping for use on vessels subject cluded.

to the provisions of this Act. The maximum working to the determined of the be determined by formulas prescribed by the board of supervising inspectors, and no such boiler, pressure vessel, or appurtenance thereof shall be designed or operated where the factor of safety is less than four: Provided, That the minimum thickness and maximum allowable working pressure of valves, fittings, and other appurtenances etc. shall be determined by formulas prescribed by the board of supervising inspectors.

"SEC. 4434. The maximum allowable thickness of shell plates and etc. Thickness of shell plates and etc. Vol. 35, p. 687. the details of material, design, and construction of externally fired boilers shall be determined by action of the board of supervising

inspectors." All laws or parts of laws which may conflict with the provisions pealed. of this Act are hereby repealed.

Approved, June 13, 1933.

[CHAPTER 62.]

AN ACT

To provide for the redemption of national-bank notes, Federal Reserve bank notes, and Federal Reserve notes which cannot be identified as to the bank

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any national-bank notes, Federal Reserve bank notes, or Federal Redemption of Reserve notes are presented to the Treasurer of the United States ized. for redemption and such notes cannot be identified as to the bank of issue or the bank through which issued, the Treasurer of the United States may redeem such notes under such rules and regula-

Proviso.
Pressure of valves,

Thickness of plates,

June 13, 1933. [S. 1634.] [Public, No. 41.]

73d CONGRESS. SESS. I. CHS. 62-64. JUNE 13, 1933.

Cancelation, etc.

tions as the Secretary of the Treasury may prescribe, and the notes so redeemed shall be forwarded to the Comptroller of the Currency for cancelation and destruction.

Sums charged against deposits for retirement of national bank, etc., notes.

SEC. 2. National-bank notes and Federal Reserve bank notes redeemed by the Treasurer of the United States under this Act

Vol. 26, p. 289. U.S.C., p. 267.

Vol. 38, p. 268. U.S.C., p. 286.

shall be charged against the balance of deposits for the retirement of national-bank notes and Federal Reserve bank notes under the provisions of section 6 of the Act entitled "An Act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes", approved July 14, 1890 (U.S.C., title 12, sec. 122), and section 18 of the Federal Reserve Act (U.S.C., title 12, sec. 145); and sharper for Federal Reserve notes redeemed by

Distribution of charges.

12, sec. 445); and charges for Federal Reserve notes redeemed by the Treasurer of the United States under this Act shall be apportioned among the twelve Federal Reserve banks in proportion to the amount of Federal Reserve notes of each Federal Reserve bank in circulation on the 31st day of December of the year preceding the date of redemption, and the amount so apportioned to each bank shall be charged by the Treasurer of the United States against deposit in the gold-redemption fund made by such bank or its Federal Reserve agent.

Approved, June 13, 1933.

[CHAPTER 63.]

AN ACT

June 13, 1933. [H.R. 3511.] [Public, No. 42.]

- To authorize the creation of a game refuge in the Ouachita National Forest in the State of Arkansas.

Be it enacted by the Senate and House of Representatives of the Ouachita National United States of America in Congress assembled, That for the purgement of the properties within, pose of providing breeding places and for the protection and admincreated. istration of game animals, birds, and fish, the President of the United States is hereby authorized, upon the recommendation of the Secretary of Agriculture, to establish by public proclamation certain specified areas within the Ouachita National Forest as game sanctuaries and refuges.

Administrative regu-

SEC. 2. That the Secretary of Agriculture shall execute the provisions of this Act, and he is hereby authorized to prescribe all general rules and regulations for the administration of such game sanctuaries and refuges, and violation of such rules and regulations shall be punished by fine of not more than \$500 or imprisonment for not more than six months or both.

Approved, June 13, 1933.

[CHAPTER 64.]

AN ACT

June 13, 1933. [H. R. 5240.] [Public, No. 43.]

To provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them and who are unable to amortize their debt elsewhere, to amend the Federal Home Loan Bank Act, to increase the market for obligations of the United States and for other purposes.

Home Owners' Loan Act of 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Home Owners' Loan Act of 1933."

Definitions.

DEFINITIONS

"Board."

SEC. 2. As used in this Act—
(a) The term "Board" means the Federal Home Loan Bank Board created under the Federal Home Loan Bank Act.

(b) The term "Corporation" means the Home Owners' Loan

Corporation created under section 4 of this Act.

(c) The term "home mortgage" means a first mortgage on real estate in fee simple or on a leasehold under a renewable lease for not less than ninety-nine years, upon which there is located a dwelling for not more than four families, used by the owner as a home or held by him as his homestead, and having a value not exceeding \$20,000; and the term "first mortgage" includes such classes of first liens as are commonly given to secure advances on real estate under the laws of the State in which the real estate is located, together with

the credit instruments, if any, secured thereby.

(d) The term "association" means a Federal Savings and Loan Association chartered by the Board as provided in section 5 of this

REPEAL OF DIRECT LOAN PROVISION OF FEDERAL HOME LOAN BANK ACT Bank Act.

Sec. 3. Subsection (d) of section 4 of the Federal Home Loan Repeal of direct loan Bank Act (providing for direct loans to home owners) is hereby Vol. 47, p. 727, repealed. repealed.

CREATION OF HOME OWNERS' LOAN CORPORATION

SEC. 4. (a) The Board is hereby authorized and directed to create Creation of, as a corporation to be known as the Home Owners' Loan Corporation, under direction, etc., which shall be an instrumentality of the United States, which shall of the Board. have authority to sue and to be sued in any court of competent Post, p. 506. jurisdiction, Federal or State, and which shall be under the direction of the Board and operated by it under such bylaws, rules, and regulations as it may prescribe for the accomplishment of the purposes stitute the board of directors of the Corporation and shall serve as directors of Corporation.

(b) The Board shall determined by the Corporation and shall serve as directors of Corporation.

(b) The Board shall determine the minimum amount of capital amount, authorized stock of the Corporation and is authorized to increase such capital capital stock. stock from time to time in such amounts as may be necessary, but not to exceed in the aggregate \$200,000,000. Such stock shall be sub-retary of the Treasury. scribed for by the Secretary of the Treasury on behalf of the United States, and payments for such subscriptions shall be subject to call in whole or in part by the Board and shall be made at such time or times as the Secretary of the Treasury deems advisable. The Cor- of stock ownership. poration shall issue to the Secretary of the Treasury receipts for payments by him for or on account of such stock, and such receipts shall be evidence of the stock ownership of the United States. In order by allocations from to enable the Secretary of the Treasury to make such payments when called, the Reconstruction Finance Corporation is authorized and directed to allocate and make available to the Corporation. directed to allocate and make available to the Secretary of the Treasury the sum of \$200,000,000, or so much thereof as may be necessary, and for such purpose the amount of the notes, bonds, debentures, or ration increased.

Notes, etc., of Corpother such obligations which the Reconstruction Finance Corporation Vol., 47, p. 9, other such obligations which the Reconstruction Finance Corporation wold amended. is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time, is hereby increased by such amounts as may be necessary.

(c) The Corporation is authorized to issue bonds in an aggregate Corporation authorized to issue bonds in an aggregate to issue interest amount not to exceed \$2,000,000,000, which may be sold by the bearing bonds. Corporation to obtain funds for carrying out the purposes of this Post, pp. 643, 1263.

Denominations, materials and the purposes of this permitted by the purposes of the purposes of this permitted by the purpose of the purpos section, or exchanged as hereinafter provided. Such bonds shall be tunity, etc. issued in such denominations as the Board shall prescribe, shall mature within a period of not more than eighteen years from the date of their issue, shall bear interest at a rate not to exceed 4 per centum

"Corporation."

"Home mortgage."

"First mortgage"

"Association."

Repeal of direct loan

Home Owners' Loan Corporation.

per annum, and shall be fully and unconditionally guaranteed as to

Unconditional guaranty of interest.

Interest provisions.

interest only by the United States, and such guaranty shall be expressed on the face thereof. In the event that the Corporation shall be unable to pay upon demand, when due, the interest on any such bonds, the Secretary of the Treasury shall pay to the Corporation the amount of such interest, which is hereby authorized to be appro-priated out of any money in the Treasury not otherwise appropriated, and the Corporation shall pay the amount of such interest to the holders of the bonds. Upon the payment of such interest by the Secretary of the Treasury the amount so paid shall become an obligation to the United States of the Corporation and shall bear interest at the same rate as that borne by the bonds upon which the interest Bonds to be tax ex- has been so paid. The bonds issued by the Corporation under this subsection shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States or any District, Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, including its franchise, its capital, reserves and surplus, and its loans and income, shall likewise be exempt from such taxation; except that any real property of the Corporation shall be subject to taxation to the same extent, according to its value, as other real property is taxed.

(d) The Corporation is authorized, for a period of three years after

Corporation, includ-

Real cepted. property

Exchange of Corporation bonds for home mortgages, etc.

Cash advances, for tax payments, repairs, and incidentals.

Total advance not to exceed 80 percent of home value.

Acquired mortgage to be carried as a first lien or be refinanced; basis.

mortization pay-

Different periods allowed.

Interest on unpaid it. balance.

Extensions.

the date of enactment of this Act, (1) to acquire in exchange for bonds issued by it, home mortgages and other obligations and liens secured by real estate (including the interest of a vendor under a purchase-money mortgage or contract) recorded or filed in the proper office or executed prior to the date of the enactment of this Act, and (2) in connection with any such exchange, to make advances in cash to pay the taxes and assessments on the real estate, to provide for necessary maintenance and make necessary repairs, to meet the incidental expenses of the transaction, and to pay such amounts, not exceeding \$50, to the holder of the mortgage, obligation, or lien acquired as may be the difference between the face value of the bonds exchanged plus accrued interest thereon and the purchase price of the mortgage, obligation, or lien. The face value of the bonds so exchanged plus accrued interest thereon and the cash so advanced shall not exceed in any case \$14,000, or 80 per centum of the value of the real estate as determined by an appraisal made by the Corporation, whichever is the smaller. In any case in which the amount of the face value of the bonds exchanged plus accrued interest thereon and the cash advanced is less than the amount the home owner owes with respect to the home mortgage or other obligation or lien so acquired by the Corporation, the Corporation shall credit the difference between such amounts to the home owner and shall reduce the amount owed by the home owner to the Corporation to that extent. Each home mortgage or other obligation or lien so acquired shall be carried as a first lien or refinanced as a home mortgage by the Corporation on the basis of the price paid therefor by the Corporation, and shall be amortized by means of monthly payments sufficient to retire the interest and principal within a period of not to exceed fifteen years; but the amortization payments of any home owner may be made quarterly, semiannually, or annually, if in the judgment of the Corporation the situation of the home owner requires Interest on the unpaid balance of the obligation of the home owner to the Corporation shall be at a rate not exceeding 5 per centum per annum. The Corporation may at any time grant an extension of time to any home owner for the payment of any install-

ment of principal or interest owed by him to the Corporation if, in

the judgment of the Corporation, the circumstances of the home owner and the condition of the security justify such extension, and no payment of any installment of principal shall be required during the period of three years from the date this Act takes effect if the home owner shall not be in default with respect to any other condition or covenant of his mortgage. As used in this subsection, the fined. term "real estate" includes only real estate held in fee simple or on a leasehold under a lease renewable for not less than ninety-nine years, upon which there is located a dwelling for not more than four families used by the owner as a home or held by him as a homestead be made under this Act against any home mortgage by reason of mortgage.

Default by municipality, etc, not to affect the fact that the real estate securing such mortgage. municipality, county, or taxing district which is in default upon any of its obligations.

(e) The Corporation is further authorized, for a period of three

years from the date of enactment of this Act, to make loans in cash subject to the same limitations and for the same purposes for which cash advances may be made under subsection (d) of this section, in cases where the property is not otherwise encumbered; but no such loan shall exceed 50 per centum of the value of the property securing the same as determined upon an appraisal made by the Corporation. Each such loan shall be secured by a duly recorded home mortgage, and shall bear interest at the same rate and shall be subject to the same provisions with respect to amortization and extensions as are applicable in the case of obligations refinanced under subsection (d)

years from the date of enactment of this Act, in any case in which accept Corporation the holder of a home mortgage or other obligation or lien eligible home when unable to for exchange under subsection (d) of this section does not accept the bonds of the Corporation in exchange as provided in such subsection and in which the Corporation finds that the limit of the corporation are the corporation finds that the limit of the corporation finds (f) The Corporation is further authorized, for a period of three section and in which the Corporation finds that the home owner cannot obtain a loan from ordinary lending agencies, to make cash advances to such home owner in an amount not to exceed 40 per centum of the value of the property for the purposes specified in such subsection (d). Each such loan shall be secured by a duly recorded home mortgage and shall bear interest at a rate of interest which shall be uniform throughout the United States, but which in no event shall exceed a rate of 6 per centum per annum, and shall be subject to the same provisions with respect to amortization and extensions as are applicable in cases of obligations refinanced under subsection (d) of this section.

(g) The Corporation is further authorized, for a period of three years from the date of the enactment of this Act, to exchange bonds closed homes. and to advance cash, subject to the limitations provided in subsection (d) of this section, to redeem or recover homes lost by the owners by foreclosure or forced sale by a trustee under a deed of trust or under power of attorney, or by voluntary surrender to the mort-

gagee within two years prior to such exchange or advance.

(h) The Board shall make rules for the appraisal of the property Rules for appraising, etc., directed. on which loans are made under this section so as to accomplish the purposes of this Act.

(i) Any person indebted to the Corporation may make payment accepted in payment. to it in part or in full by delivery to it of its bonds which shall be

accepted for such purpose at face value.

(j) The Corporation shall have power to select, employ, and fix authorized. the compensation of such officers, employees, attorneys, or agents as shall be necessary for the performance of its duties under this Act,

Condition.

"Real estate" de-

Cash loans on unen-cumbered property.

Maximum.

Security. Conditions.

Cash advances when

Limitation.

Security.

Provisions respect-ing amortization, etc.

advances for Cash redemption of Post, p. 645.

Personal services

Pay limitation.

Franking privilege.

Expenditures authorized.

Division of expenses.

Administrative rules,

Federal Savings and Loan Associations.

Purposes of organiza-tion, operation, etc.

ete

Capital. Limitation.

Loans; security.

Provisos.
Maximum, on any one parcel. Other real estate.

lien.

Investment of association assets.

without regard to the provisions of other laws applicable to the employment or compensation of officers, employees, attorneys, or agents of the United States. No such officer, employee, attorney, or agent shall be paid compensation at a rate in excess of the rate provided by law in the case of the members of the Board. The Corporation shall be entitled to the free use of the United States mails for its official business in the same manner as the executive departments of the Government, and shall determine its necessary expenditures under this Act and the manner in which they shall be incurred, allowed, and paid, without regard to the provisions of any other law governing the expenditure of public funds. The Corporation shall pay such proportion of the salary and expenses of the members of the Board and of its officers and employees as the Board Federal Home Loan may determine to be equitable, and may use the facilities of Federal Bank facilities. Home Loan Banks, upon making reasonable compensation therefor

as determined by the Board.

(k) The Board is authorized to make such bylaws, rules and Corporation bonds, etc., retirement.

Post, p 647.

(K) The Doard is authorized to make such symmetry, as authorized to make such symmetry, as authorized to make such symmetry, as the corporation is further authorized and directed to retire The Corporation is further authorized and directed to retire and cancel the bonds and stock of the Corporation as rapidly as the resources of the Corporation will permit. Upon the retirement of such stock, the reasonable value thereof as determined by the Board shall be paid into the Treasury of the United States and the receipts Liquidation proceed issued therefor shall be canceled. The Board shall proceed to liquidate the Corporation when its purposes have been accomplished, and Payment of dends. Post, p. 644. The Corporation when its purposes have seen accumulated funds into the Treasury of the United States. The Corporation may declare and pay such dividends to the United States as may be earned and as in the judgment of the Board it is proper for the Corporation to pay.

FEDERAL SAVINGS AND LOAN ASSOCIATIONS

SEC. 5. (a) In order to provide local mutual thrift institutions in which people may invest their funds and in order to provide for the financing of homes, the Board is authorized, under such rules and regulations as it may prescribe, to provide for the organization, incorporation, examination, operation, and regulation of associations Designation, powers, to be known as "Federal Savings and Loan Associations", and to issue charters therefor, giving primary consideration to the best practices of local mutual thrift and home-financing institutions in the United States.

(b) Such associations shall raise their capital only in the form of Retirement of shares. payments on such shares as are authorized in their charter, which shares may be retired as is therein provided. No deposits shall be accepted and no certificates of indebtedness shall be issued except for such borrowed money as may be authorized by regulations of

the Board.

(c) Such associations shall lend their funds only on the security of their shares or on the security of first liens upon homes or combination of homes and business property within fifty miles of their home office: Provided, That not more than \$20,000 shall be loaned on the security of a first lien upon any one such property; except that not exceeding 15 per centum of the assets of such association may be Each secured by first loaned on other improved real estate without regard to said \$20,000 limitation, and without regard to said fifty-mile limit, but secured by first lien thereon: And provided further, That any portion of the assets of such associations may be invested in obligations of the United States or the stock or bonds of a Federal Home Loan Bank.

(d) The Board shall have full power to provide in the rules and Rules for reorganization, etc., authorized. regulations herein authorized for the reorganization, consolidation, merger, or liquidation of such associations, including the power to appoint a conservator or a receiver to take charge of the affairs of any such association, and to require an equitable readjustment of the capital structure of the same; and to release any such association from such control and permit its further operation.

(e) No charter shall be granted except to persons of good character and responsibility, nor unless in the judgment of the Board a necessity exists for such an institution in the community to be served, nor unless there is a reasonable probability of its usefulness and success, nor unless the same can be established without undue injury to properly conducted existing local thrift and home-financing institutions.

(f) Each such association, upon its incorporation, shall become Incorporated association automatically a member of the Federal Home Loan Bank of the eral Home Loan Bank. district in which it is located, or if convenience shall require and the Board approve, shall become a member of a Federal Home Loan Bank of an adjoining district. Such associations shall qualify for such membership in the manner provided in the Federal Home Loan Bank Act with respect to other members.

(g) The Secretary of the Treasury is authorized on behalf of the to subscribe for association which shall be preferred as to the assets of the association and which shall be entitled to a dividend, if earned, after payment of expenses and provision for reasonable reserves, to the same extent as other shareholders. It shall be the duty of the Secretary of the Treasury to subscribe for such preferred shares upon the request of the Board; but the subscription by him to the shares of any one association shall not exceed \$100,000, and no such subscription shall be called for unless in the judgment of the Board the funds are necessary for the encouragement of local home financing in the community to be served and for the reasonable financing of homes in such community. Payment on such shares may be called from time to time by the association, subject to the approval of the Board and the Secretary of the Treasat no time exceed the amount paid in by the Secretary of the Treasury shall sate shares of all other the aggregate amount of shares held by the Secretary of the Treasury shall not exceed at any time the aggregate amount. shall not exceed at any time the aggregate amount of shares held by all other shareholders. To enable the Secretary of the Treasury to make such subscriptions when called there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000,000, to be immediately available and to remain available until expended. Each such association shall issue receipts for such payments by the Secretary of the Treasury in such form as may be approved by the Board, and such receipts shall be evidence of the interest of the United States in such preferred shares to the extent of the amount so paid. Each such association shall preferred shares held by the by Secretary.

Provision for retiring preferred shares held by the by Secretary. Secretary of the Treasury, and beginning at the expiration of five years from the time of the investment in such shares, the association shall set aside one third of the receipts from its investing and borrowing shareholders to be used for the purpose of such retirement. In case of the liquidation of any such association the shares held by at par in event of liquithe Secretary of the Treasury shall be retired at par before any paydation. ments are made to other shareholders.

(h) Such associations, including their franchises, capital, reserves, to be tax free. and surplus, and their loans and income, shall be exempt from all taxation now or hereafter imposed by the United States, and all shares

Provisions for granting charters.

Incorporated associa-

Limitations.

Sum authorized.

Receipts.

Exception

of such associations shall be exempt both as to their value and the income therefrom from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States; and no State, Territorial, county, municipal, or local taxing authority shall impose any tax on such associations or their franchise, capital, reserves, surplus, loans, or income greater than that imposed by such authority on other similar local mutual or cooperative thrift and home financing institutions.

Federal Home Loan member may convert into a Federal Savings and Loan Association.

(i) Any member of a Federal Home Loan Bank may convert itself into a Federal Savings and Loan Association under this Act upon a vote of its stockholders as provided by the law under which it operates; but such conversion shall be subject to such rules and regulations as the Board may prescribe, and thereafter the converted association shall be entitled to all the benefits of this section and shall be subject to examination and regulation to the same extent as other associations incorporated pursuant to this Act.

Post, pp. 645, 646.

ENCOURAGEMENT OF SAVING AND HOME FINANCING

Encouragement of saving and home financing.

Sec. 6. To enable the Board to encourage local thrift and local home financing and to promote, organize, and develop the associations herein provided for or similar associations organized under local laws, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$150,000, to be immediately available and remain available until expended, subject to the call of the Board, which sum, or so much thereof as may be necessary, the Board is authorized to use in its discretion for the accomplishment of the purposes of this section without regard to the provisions of any other law governing the expenditure of public funds.

Appropriation thorized.

Post, p. 276.

Applicability of provisions.

Sec. 7. The provisions of this Act shall apply to the continental United States, to the Territories of Alaska and Hawaii, and to Puerto Rico and the Virgin Islands.

Penalties.

PENALTIES

False statements, misrepresentations, etc.

Sec. 8. (a) Whoever makes any statement, knowing it to be false, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of the Home Owners' Loan Corporation or the Board or an association upon any application, advance, discount, purchase, or repurchase agreement, or loan, under this Act, or any extension thereof by renewal deferment, or action or otherwise, or the acceptance, release, or substitution of security therefor, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both.

Forgery, counterfeit-

(b) Whoever (1) falsely makes, forges, or counterfeits any note, debenture, bond, or other obligation or coupon, in imitation of or purporting to be a note, debenture, bond, or other obligation, or coupon, issued by the Home Owners' Loan Corporation or an association; or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited note, debenture, bond, or other obligation, or coupon, purporting to have been issued by the Home Owners' Loan Corporation or an association, knowing the same to be false, forged, or counterfeited; or (3) falsely alters any note, debenture, bond or other obligation, or coupon, issued or purporting to have been issued by the Home Owners' Loan Corporation or an association; or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true any falsely altered or spurious note, debenture, bond, or other obligation, or coupon, issued or purporting to have been issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an an association issued by the Home Owners' Loan Corporation or an association issued by the Home Owners' Loan Corporation or an an association issued by the Home Owners' Loan Corporation or an an association is an association is

association, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than \$10,000, or by imprisonment

for not more than five years, or both.

(c) Whoever, being connected in any capacity with the Board or the Home Owners' Loan Corporation or an association (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise intrusted to it; or (2) with intent to defraud the Board or the Home Owners' Loan Corporation or an association, or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiners of the Board or the Home Owners' Loan Corporation or an association, makes any false entry in any book, report, or statement of or to the Board or the Home Owners' Loan Corporation or an association, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than five years, or both.

(d) The provisions of sections 112, 113, 114, 115, 116, and 117 of (d) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U.S.C., title 18, secs. 202 to consideration by Members of Congress. 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements of the Home Owners' Loan Corporation and an U.S.C., p. 475. tracts or agreements of the Home Owners' Loan Corporation and an association under this Act, which, for the purposes hereof, shall be held to include advances, loans, discounts, and purchase and repurchase agreements; extensions and renewals thereof; and acceptances,

releases, and substitutions of security therefor.

(e) No person, partnership, association, or corporation shall make designated services. any charge in connection with a loan by the Corporation or an exchange of bonds or cash advance under this Act except ordinary charges authorized and required by the Corporation for services actually rendered for examination and perfecting of title, appraisal, and like necessary services. Any person, partnership, association, or corporation violating the provisions of this subsection shall, upon conviction thereof, be fined not more than \$10,000, or imprisoned not more than five years, or both.

Embezzlement, etc.

Post, p. 647

SEPARABILITY PROVISION

Separability of provi-

Sec. 9. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, June 13, 1933.

[CHAPTER 65.]

AN ACT

Granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Umpqua River at or near Reedsport, Douglas County, Oregon.

June 13, 1933. [S. 1745.] [Public, No. 44.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Oregon to construct, at Reedsport. maintain, and operate a bridge and approaches thereto across the Umpqua River, at a point suitable to the interests of navigation, at or near Reedsport, Douglas County, Oregon, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Umpqua River. Post, p. 804.

Construction. Vol. 34, p. 84.

Rates of tolls applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

Amendment.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed fifteen years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under Record of expendi- economical management. An accurate record of the costs of the tures and receipts to be bridge and its approaches, the expenditures for maintaining. bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 13, 1933.

[CHAPTER 66.]

AN ACT

June 13, 1933. [S. 1746.] [Public, No. 45.]

Granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Yaquina Bay at or near Newport, Lincoln County, Oregon.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Oregon to construct,

maintain, and operate a bridge and approaches thereto across Yaquina Bay, at a point suitable to the interests of navigation, at or near Newport, Lincoln County, Oregon, in accordance with the pro-

Yaquina Bay. Oregon may bridge, at Newport. Post, p. 804.

Construction. Vol. 34, p. 84.

Rates of tolls applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

Record of expendi-tures and receipts to be kept.

Amendment.

ing, and operating the same, and of the daily tolls collected, shall be

visions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. Sec. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed fifteen years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repair-

interested. SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

kept and shall be available for the information of all persons

Approved, June 13, 1933.

[CHAPTER 67.]

AN ACT

Granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Coos Bay at or near North Bend, Coos County,

June 13, 1933. [S. 1748.] [Public, No. 46.]

Be it enacted by the Senate and House of Representatives of the of Congress is hereby granted to the State of Oregon to construct, at North Bend.

Bay, at a point suitable to the interests of Positive America in Coos Bay.

Coos Bay.

Oregon may bridge, at North Bend.

Post, p. 804. North Bend, Coos County, Oregon, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

Rates of tolls applied toll shall be so adjusted as to provide a fund sufficient to pay the fund, etc. reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management. sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed fifteen years from the completion thereof. After a sinking Maintenance as free fund sufficient for such amortization shall have been so provided, such costs, etc. bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge, and its approaches under economical management. An accurate record of the costs of the bridge tures and receipts to be and its approaches, the expenditures for maintaining, repairing, and kept. operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Amendment.

expressly reserved. Approved, June 13, 1933.

[CHAPTER 68.]

AN ACT

SEC. 3. The right to alter, amend, or repeal this Act is hereby

Granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across the Siuslaw River at or near Florence, Lane County, Oregon.

June 13, 1933. [S. 1749.] [Public, No. 47]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Oregon to construct, at Florence. maintain, and operate a bridge and approaches thereto across the Siuslaw River, at a point suitable to the interests of navigation, at or near Florence, Lane County, Oregon, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and

subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

Sec. 2. If tolls are charged for the use of such bridge, the rates of toll applied toll shall be so adjusted as to provide a fund sufficient to pay the fund, etc. reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges but within a period of not to

Maintenance as free bridge after amortizing costs, etc. exceed fifteen years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of expendi-tures and receipts to be kept.

Amendment.

Sec. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 13, 1933.

[CHAPTER 69.]

AN ACT

June 13, 1933. [S. 1783.] [Public, No. 48.]

Granting the consent of Congress to the Overseas Road and Toll Bridge District, a political subdivision of the State of Florida, to construct, maintain, and operate bridges across the navigable waters in Monroe County, Florida, from Lower Matecumbe Key to No Name Key.

navigable waters in Monroe County in the State of Florida, at points suitable to the interests of navigation, between Lower Matecumbe Key and No Name Key (including such toll highways, bridges, viaducts, causeways, fills, embankments, roads, trestles, and

other appurtenant structures as may be necessary to connect certain of the present termini of State road numbered 4-A in such manner as to complete a system of highways and bridges extending from Miami to Key West, via Key Largo), in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and

Navigable waters in Monroe County, Fia.
Overseas Road and Grongress is hereby granted to the Overseas Road and Toll Bridge District may bridge Lower Mathematical States of America in Congress assembled, That the consent Office Congress is hereby granted to the Overseas Road and Toll Bridge District may bridge Lower Mathematical States of Florida, to construct, tecumbe Key to No maintain, and operate bridges and approaches thereto across the navigable waters in Africa Congress assembled, That the consent of Congress assem

Connecting highways, etc.

Construction, Vol. 34, p. 84.

Rates of toll applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

Record of expendi-tures and receipts to be kept.

Amendment.

subject to the conditions and limitations contained in this Act. Sec. 2. If tolls are charged for the use of such bridges, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridges and their approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridges and their approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed forty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridges shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridges and their approaches under economical management. An accurate record of the costs of the bridges and their approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 13, 1933.

[CHAPTER 70.]

AN ACT

To extend the mining laws of the United States to the Death Valley National Monument in California.

June 13, 1933 [H. R. 3659.] [Public, No. 49.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the mining tonal laws of the United States be, and they are hereby, extended to the Calif area included within the Death Valley National Monument in Mining California, or as it may hereafter be extended, subject, however, to the surface use of locations, entries, or patents under general use, etc. regulations to be prescribed by the Secretary of the Interior.

Death Valley Na-ional Monument,

Subject to surface

Approved, June 13, 1933.

[CHAPTER 71.]

AN ACT

To amend an Act entitled "An Act creating the Great Lakes Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Clair River at or near Port Huron, Michigan", approved June 25, 1930, and to extend the times for commencing and completing construction of said bridge.

June 13, 1933. [H.R. 5495.] [Public, No. 50.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 Commission Act of an Act entitled "An Act creating the Great Lakes Bridge Comwoll 46, p. 810, mission and authorizing said Commission and its successors to con-amended. struct, maintain, and operate a bridge across the Saint Clair River at or near Port Huron, Michigan", approved June 25, 1933,1 be, and

the same is hereby, amended so as to read as follows:

Bond issue to cover

"Sec. 4. The Commission and its successors and assigns are cost. hereby authorized to provide for the payment of the cost of the bridge and its approaches and the ferry or ferries and the necessary lands, easements, and appurtenances thereto by an issue or issues of bonds of the Commission, upon approval by the Michigan Public Utilities Commission, bearing interest at not more than 6 per centum Interest, maturity, per annum, payable annually or at shorter intervals, maturing not more than thirty years from their date of issuance, such bonds and the interest thereon, and any premium to be paid for retirement thereof before maturity, to be payable solely from the sinking fund provided in accordance with this Act. Such bonds may be registerable as to principal alone or both principal and interest, and shall be in such form not inconsistent with this Act, and be payable at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity at prices not exceeding one hundred and five and accrued interest. The Commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of moneys on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provision for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also

a provision for approval by the original purchasers of the bonds

Registering bonds.

Redemption, etc.

Trust agreement.

1 So in original,

Bridge deemed in-strumentality for inter-national commerce.

Income exempt from Federal, etc., taxes.

Sale price of bonds.

To cover cost, etc.

Interest.

Excess of bond sale over cost, placed in sinking fund.

Temporary issue.

Vol. 46, p. 813. amended.

Capital stock, etc., ownership prohibited.

No compensation.

Public hearing.

Security, etc., provi- of the employment of consulting engineers and of the security given by bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge and/or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The bridge constructed under the authority of this Act shall be deemed to be an instrumentality for international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such price as the Commission may determine, such price to be not less than the price at which the interest yield basis will equal 6 per centum per annum as computed from standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the estimated cost of the bridge and its approaches, and the land, easements, and appurtenances Ferries and other used in connection therewith and, in the event the ferry or ferries are to be acquired, also the estimated cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and ferry or ferries shall be deemed to include interest during construction of the bridge, and for twelve months thereafter, and all engineering, legal, architecture. tural, traffic surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if in the judgment of the commission such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds bond the Commission may under like restrictions issue temporary bonds with or without coupons, exchangeable for definitive bonds upon the issuance of the latter.

Sec. 2. That section 9 of said Act, approved June 25, 1930, be, and

the same is hereby, amended so as to read as follows:

"Sec. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this Act. The members of the Commission shall not be entitled to any compensation for Employment of sectoriary, experts, etc.; their services but may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the United States interests and the Canadian interests as herein provided, and any ferry or ferries Dissolution of Com-shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the State highway commissioner of Michigan made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Port Huron, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof,

in a newspaper published in the city of Port Huron, Michigan, and a newspaper published in the city of Sarnia, Ontario. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said United States interests and the other to said Canadian interests."

Division of money, in hand.

SEC. 3. That the times for commencing and completing the construction of said bridge, heretofore extended by Acts of Congress approved February 28, 1931, and June 9, 1932, are hereby further extended one and three years, respectively, from the date of approval

Times for bridging, extended. Vol. 46, pp. 809, 1458; Vol. 47, p. 290.

Sec. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 13, 1933.

[CHAPTER 72.]

AN ACT

To amend the Reconstruction Finance Corporation Act, as amended, to provide _ for loans to closed building and loan associations.

June 14, 1933. [S. 1648.] [Public, No. 51.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first nance Corporation Act as amended to read as follows:

Act as amended is amended to read as follows:

Vol. 47, pp. 6, 795.

Act, as amended, is amended to read as follows:

"Sec. 5. To aid in financing agriculture, commerce, and industry, Loans to closed building facilitating the exportation of agricultural and other tions authorized.

Terms and conditions are considered to make tions and conditions are conditions as a condition of agricultural and other tions authorized. products, the Corporation is authorized and empowered to make tions. loans, upon such terms and conditions not inconsistent with this Act as it may determine, to any bank, savings bank, trust company, building and loan association, insurance company, mortgage-loan company, credit union, Federal land bank, joint-stock land bank, Federal intermediate credit bank, agricultural credit corporation,

livestock credit corporation, organized under the laws of any State or of the United States, including loans secured by the assets of any bank, savings bank, or building and loan association that is closed, or in process of liquidation to aid in the reorganization or liquidation of such banks or building and loan associations, upon application of the receiver or liquidating agent of such bank or ceiver.

Application of rebuilding and loan association, and any receiver of any national bank is hereby authorized to contract for such loans and to pledge any assets of the bank for securing the same.

Approved, June 14, 1933.

[CHAPTER 73.]

AN ACT

Creating the Saint Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

June 14, 1933. [H.R. 5329.] [Public, No. 52.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate international commerce, the Saint Lawrence Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Saint Lawrence Bridge Commission may bridge, at Ogdensburg New York at a point suitable to the interests city of Ogdensburg, New York, at a point suitable to the interests

Construction. Vol. 34, p. 84.

Approval by Canada required.

Operation of ferries.

Right to acquire real estate, etc., in New York for location, etc.

Tolls authorized.

Bond issue to cover

Interest rate, ma-turity, etc.

Registering bonds.

Redemption, etc.

Trust agreement.

of navigation, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in the Dominion of Canada. For like purposes said Commission and its successors and assigns are hereby authorized to purchase, maintain, and operate all or any ferries across the Saint Lawrence River within five miles of the location which shall be selected for said bridge, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of New York as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of New York, upon making just compensation therefor, condemnation proceedings.

Condemnation proceedings.

Condemnation proceedings therefor shall be the same as in the condemnation of private property for public purposes in such State; and the Com-Right to acquire real mission and its successors and assigns may exercise in the Dominion estate in Canada. of Canada all rights, powers, and authority which shall be granted or permitted to the Commission by the proper authorities of the Dominion of Canada or of the Province of Ontario, including the entering upon lands and acquiring, condemning, occupying, possessing, and using such real estate and other property in the Dominion of Canada as may be needed for such location, construction, operation, and maintenance of such bridge.

Sec. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and

such ferry or ferries in accordance with the provisions of this Act. Sec. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches and the ferry or ferries and the necessary lands, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 per contum per appure the principal and interest of which than 6 per centum per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this Act. Such bonds may be registerable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding thirty years from their respective dates, shall be in such denominations, shall be executed in such manner and be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding one hundred and five and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of moneys on hand or on deposit, and the rights and remedies of said trustee and the holders of the

bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreements may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security given by the bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The bridge constructed etc., in international under the authority of this Act shall be deemed to be an instru-commerce. mentality for international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6 per centum interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches, and the land, easements, and appurtenances used in connection therewith and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and ferry or ferries shall be deemed to include interest during construction of the bridge, and for twelve months thereafter, and all engineering, legal, architectural, traffic surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds excess of sale over issued shall exceed the cost as finally determined, the excess shall cost, placed in sinking be placed in the sinking fund hereinafter provided. Prior to the bonds of temporary benefit to the bonds. preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds have been executed and are available for delivery.

DEC. 3. In fixing the rates of toll to be charged for the use of such provide a fund sufficient bridge the same shall be so adjusted as to provide a fund sufficient bance, sinking to to pay for the reasonable cost of depreciating, maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an

Provisions governing

Income exempt from Federal, etc., taxes.

Sale price of bonds.

Items included in

sinking fund,

Classification of traf-fic for toll adjustment.

Maintenance of ferries not mandatory.

Ferry tolls.

Allocated to maintenance, s fund, etc. o ferry sinking

Record of expendi-tures and receipts.

Acquisition by New York, etc., of United States interests.

Conditions.

If acquisition unauthorized, Commission to continue ownership, etc.

amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the Record of expendibonds. An accurate record of the cost of the bridge and its aptures and receipts. proaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment exemptions from of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or of the Governments of the United States or Canada while in the discharge of their duties.

Sec. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within the United States to the State of New York or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "United States interests") and that By Canada, etc., of part within Canada to the Dominion of Canada or to such Province, municipality, or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Canadian interests"), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the United States interests and the Canadian interests, as may be agreed upon; but if either the United States interests or the Canadian interests shall not be authorized to accept interests or the Canadian interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both the United

States interests and the Canadian interests shall be authorized to accept and shall accept such conveyance under such conditions. If Upon later conveyance under such conditions. at the time of such conveyance the Commission or its successors shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine, but in making any such sale preference shall be given to the Canadian an interests. interests and thereafter to the United States interests before any

sale except to such respective interests. SEC. 8. For the purpose of carrying into effect the objects stated Bridge Commission in this Act there is hereby created the Saint Lawrence Bridge Com-created. mission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The Commission shall consist of eleven persons appointed by the Governor of New York. Such Commission shall be a body corporate and politic constituting a public-benefit corporation. vacancy occurring in said commission shall be filled by the Gov-Each member of the Commission and their respective successors shall qualify by giving such bond as may be fixed by the members Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned for the faithful performance of all duties required by this Act. The Commission shall elect a chairman and man, etc. a vice chairman from its members, and may establish rules and regulations for the government of its own business. Five members shall constitute a quorum for the transaction of business.

SEC. 9. The Commission shall have no capital stock or shares of ownership, by Cominterest or participation, and all revenues and receipts thereof shall mussion forbidden. be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the Commission, but the maximum compensation of the chairman in any year shall not exceed \$2,500 and of each other member shall not exceed \$500. The members of the Commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, retary, experts, etc. and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the United States interests and the Canadian interests as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Ogdensburg, notice of the time and place of which hearing

Rights at law.

Composition.

Vacancies.

Bond required of

Election of chair-

Compensation, etc.

Employment of sec-

Funds available.

Dissolution of Com-

Public hearing, etc.

Division of moneys in hand.

and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Ogdensburg, New York, and a newspaper published in Prescott, Ontario. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said United States

Creating a liability not herein specified, unlawful.

interests and the other to said Canadian interests.

Sec. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this Act. No obligation created or liability incurred pursuant to this Act shall be an obligation or liability of any member or members of the Commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Personal liability.

No Federal liability.

SEC. 11. All provisions of this Act may be enforced, or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of New York, the United States district attorney for the district in which the bridge may be located in part, or by the solicitor general of the Dominion of Canada in any court having competent jurisdiction of the subject matter and of the parties.

Enforcing provisions herein.

Sec. 12. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 14, 1933.

Amendment.

[CHAPTER 76.]

AN ACT

June 15, 1933. [S. 554.] [Public, No. 53.]

Providing for per capita payments to the Seminole Indians in Oklahoma from funds standing to their credit in the Treasury.

Okla.

Per capita payments
to, from tribal funds.

Provisos. Rules, etc., for.

Restricted Indians.

Exempt from prior debts.

Expenses of distribution.

Be it enacted by the Senate and House of Representatives of the Seminole Indians, United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Seminole Tribe of Indians of Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, out of any money belonging to said tribe in the United States Treasury or deposited in any bank or held by an official under the jurisdiction of the Secretary of the Interior, not to exceed \$35 per capita: Provided, That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: Provided further, That in cases where such enrolled members, or their heirs, are Indians who belong to the restricted class, the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: Provided further, That the money paid to the enrolled members or their heirs as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this Act: And provided further, That the Secretary of the Interior is hereby authorized to use not to exceed \$2,000 out of said Seminole tribal funds for the payment of salaries of necessary employees and other expenses for the distribution of said per capita payments.

Approved, June 15, 1933.

[CHAPTER 77.]

AN ACT

Providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Florida.

[Public, No. 54.]

Be it enacted by the Senate and House of nepresentation, United States of America in Congress assembled, That a term of the District Court of the United States for the Southern District Vol. 36, p. 1108; Vol. 3 to the United States.

Approved, June 15, 1933.

[CHAPTER 78.]

AN ACT

To authorize the Secretary of War to grant a right of way to The Dalles Bridge Company.

June 15, 1933. [S. 804.] [Public, No. 55.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered to grant to The Dalles Bridge Company, a corporation organized and existing under the laws of the State of Washington, its successors and assigns, a permanent right of way, in such location and under such terms. conditions as may be approved by the Secretary of War, over and across the Celilo Canal and other Government lands along the Columbia River near The Dalles, Oregon, for bridge and highway purposes, with full power to locate, construct, and operate a bridge, approaches and approach highways, and adjuncts: *Provided*, That use for bridge purthe land shall not be used for other purposes and when the property poses. shall cease to be so used it shall revert to the United States: Pro-Right to remove bridge, etc., reserved. vided further, That the right to compel the removal of said bridge, approaches and approach highways, and adjuncts is hereby reserved in the Secretary of War, whenever he may determine the interests of the Government so requires, and which said removal is to be without expense to the Government as a condition of this grant. Approved, June 15, 1933.

[CHAPTER 79.]

AN ACT

To amend the Act entitled "An Act to provide relief in the existing national emergency in banking, and for other purposes", approved March 9, 1933.

June 15, 1933. [S. 1425.] [Public, No. 56]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide relief in the existing national emergency Ante, p 5. amended. in banking, and for other purposes", approved March 9, 1933, is amended by-

(a) striking out the whole of section 301 of title III thereof and

inserting in lieu thereof the following:

"Sec. 301. Notwithstanding any other provision of law, any national banking association may, with the approval of the Compone class, by vote of troller of the Currency and by vote of shareholders owning a major-shareholders, permitted ity of the stock of such association, upon not less than five days' notice, given by registered mail pursuant to action taken by its board of directors, issue preferred stock of one or more classes, in

Payment.

Subsection repealed.

sions.

Personal liability

Amount, par value, such amount and with such par value as shall be approved by said Comptroller, and make such amendments to its articles of association as may be necessary for this purpose; but, in the case of any newly organized national banking association which has not yet issued common stock, the requirement of notice to and vote of shareholders shall not apply. No issue of preferred stock shall be valid until the par value of all stock so issued shall be paid in.'

(b) striking out the whole of subsection (a) of section 302 of the

Ante, p. 5.

Paying dividends said title III and inserting in lieu thereof the following:

upon preferred stock.

"Notwithstanding any other provision of law wheth

"Notwithstanding any other provision of law, whether relating to restriction upon the payment of dividends upon capital stock or otherwise, the holders of such preferred stock shall be entitled to receive such cumulative dividends at a rate not exceeding 6 per Voting, etc., rights. centum per annum and shall have such voting and conversion rights and such control of management, and such stock shall be subject Retirement provi- to retirement in such manner and upon such conditions, as may be provided in the articles of association with the approval of the Comptroller of the Currency. The holders of such preferred stock shall not be held individually responsible as such holders for any debts, contracts, or engagements of such association, and shall not be liable for assessments to restore impairments in the capital of such association as now provided by law with reference to holders of common stock."

Approved, June 15, 1933.

[CHAPTER 80.]

AN ACT

June 15, 1933. [S. 1650.] [Public, No. 57.]

Amending section 74 of the Judicial Code, as amended (U.S.C., Annotated title 28, sec. 147).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of United States courts. Vol. 36, p. 1108, Vol. 41, p. 1146, amended. Connecticut judicial district. Term of court. Connecticut shall constitute one judicial district to be known as the "district of Connecticut." Terms of the district court shall be held at New Haven on the second Tuesday in February and the third Tuesday in September; at Hartford on the second Tuesday in May and the first Tuesday in December; at Norwalk on the third Tuesday in April; and at Columbia on the first Tuesday in September: Provided, That suitable rooms and accommodations shall be furnished for the holdings of said court and for the use of the officers Columbia added. Proviso.

Rooms at Norwalk and Columbia. of said court at Norwalk and Columbia free of expense to the

Approved, June 15, 1933.

Government of the United States.

[CHAPTER 81.]

AN ACT

June 15, 1933. [S. 1747.] [Public, No. 58.]

Granting the consent of Congress to the State of Oregon to construct, maintain, and operate a toll bridge across Alsea Bay at or near Waldport, Lincoln County, Oregon.

Alsea Bay, Oreg. Oregon may bridge Waldport. Post, p. 804.

Construction. Vol. 34, p. 84.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Oregon to construct, maintain, and operate a bridge and approaches thereto across Alsea Bay, at a point suitable to the interests of navigation, at or near Waldport, Lincoln County, Oregon, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. SEC. 2. If tolls are charged for the use of such bridge, the rates to operation, sinking of toll shall be so adjusted as to provide a fund sufficient to pay the fund, etc. reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed fifteen years from the completion thereof. After a sinking Maintenance as tree fund sufficient for such amortization shall have been so provided, tizing costs. such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper main-tenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the tures and receipts. bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 15, 1933.

[CHAPTER 82.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century.

[Public, No. 59]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary in 1936 of the indememoration of the one hundredth anniversary in 1936 of the independence of Texas and of the noble and heroic sacrifices of her memoration of. pioneers, whose memory has been an inspiration to her sons and daughters during the past century, there shall be coined at the mints of the United States silver 50-cent pieces to the number of not more than one and one-half million, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

Texas centennial,

Number, design, etc.

Legal tender.

Issued to American legion Texas Centen-

Payment.

Proviso. No expense for dies,

Sec. 2. That the coins herein authorized shall be issued only upon the request of the American Legion Texas Centennial Committee, of nial Committee. Austin, Texas, upon payment by such American Legion Texas Centennial Committee of the par value of such coins, and it shall be permissible for the said American Legion Texas Centennial Committee to obtain said coins upon said payment, all at one time or at separate times, and in separate amounts, as it may determine.

SEC. 3. That all laws now in force relating to the subsidiary silver cable. Coinage loans applicoins of the United States and the coining or striking of the same, regulating the guarding and process of coinage, providing for the purchase of material, and for the transportation, disposition, and redemption of coins, for the prevention of debasement or counterfeiting, for security of the coins, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

Approved, June 15, 1933.

[CHAPTER 83.]

AN ACT

June 15, 1933. [S. 1813.] [Public, No. 60.] Providing for the sale to Joe Graham Post Numbered 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi.

American Legion. Vol. 45, p. 1556.

Payment.

Receipts credited to military construction

tions.

Be it enacted by the Senate and House of Representatives of the Ship Island Military United States of America in Congress assembled, That notwith-Reservation, Miss.
Sales of lands within, standing the provisions of the Act entitled "An Act transferring a to Joe Graham Post, portion of the lighthouse reservation. Ship Island, Mississippi, to portion of the lighthouse reservation, Ship Island, Mississippi, to the jurisdiction and control of the War Department", approved March 4, 1929, the Secretary of War is authorized and directed to convey by quitclaim deed to Joe Graham Post Numbered 119, of the American Legion, Incorporated, a corporation organized under the laws of the State of Mississippi, all the lands lying within the Ship Island Military Reservation in such State, in consideration of the payment to the United States by such corporation of \$15,000; but payment of such sum may be made in equal annual installments over a period of ten years from the date of such conveyance with interest on such deferred payments at the rate of 5 per centum per annum, all interest due to be paid annually. All sums paid to the United States for such land shall be covered into the Treasury to the credit of the Terms and condi military post construction fund. It shall be made a condition of the deed of conveyance herein provided for (1) that the lands so conveyed shall be maintained by such corporation as a national recreational park, (2) that such corporation shall erect and maintain on such lands a suitable monument or other memorial to the veterans of the World War, and (3) that such corporation shall set aside such parcel of land not exceeding one acre in area within such lands as may be selected by the United Daughters of the Confederacy for Reversionary provi- the sole use of that organization for the erection and maintenance of a memorial to veterans of the Civil War. If the corporation fails to use such lands for the purposes herein provided, or violates any of the conditions of the deed of conveyance or attempts to alienate such lands, title thereto shall revert to the United States.

Approved, June 15, 1933.

[CHAPTER 84.]

AN ACT

June 15, 1933 [H.R. 4872.] [Public, No. 61.] Authorizing Farris Engineering Company, its successors and assigns, to construct, maintain, and operate a bridge across the Monongahela River at or near California, Pennsylvania.

Monongahela River. Farris Engineering Company may bridge, at California, Pa.

Construction. Vol. 34, p. 84.

Pennsylvania may acquire, after completion.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, Farris Engineering Company, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, at or near California, Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and

subject to the conditions and limitations contained in this Act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Pennsylvania, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge

and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If Compensation, if acat any time after the expiration of five years after the completion tion. of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interest in real property; (3) actual financing and promotion cost, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Pennsylvania, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this Act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and etc. operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After amortizing costs. a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 4. The Farris Engineering Company, its successors and assigns, shall, within ninety days after the completion of such bridge, to be fifthe with the Secretary of War and with the Highway Department of the State of Pennsylvania, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary Examination by Second War may, and at the request of the Highway Department of the State of Pennsylvania shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Farris Engineering Company, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the conferred. Right to sell, etc., rights, powers, and privileges conferred by this Act is hereby granted to Farris Engineering Company, its successors and assigns; and any

Limitation.

Tolls under State operation.

Rates applied to operation, sinking fund,

Maintenance as free

Sworn statement of construction costs, etc., to be filed after com-

Finding of Secretary conclusive.

Amendment.

corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Sec. 6. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 15, 1933.

[CHAPTER 85.]

AN ACT

To amend section 289 of the Criminal Code.

[Public, No. 62.]

Vol. 35, p. 1145, amended. U.S.C. p. 499. Offenses committed in places under Federal jurisdiction. Punishment for, under State, etc., law when penalty not provided by Federal law.

Be it enacted by the Senate and House of Representatives of the Criminal Code United States of America in Congress assembled, That section 289 Amendment. Vol. 35, p. 1145, of the Criminal Code (U.S.C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

"Sec. 289. Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U.S.C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof in force on June 1, 1933, and remaining in force at the time of the doing or omitting the doing of such act or thing, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment."

Approved, June 15, 1933.

[CHAPTER 86.]

AN ACT

June 15, 1933. [H.R. 5589.] [Public, No. 63.]

Granting the consent of Congress to the city of Washington, Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Missouri.

Missouri River. Washington, Mo., may bridge.

Post, p. 1015.

Construction. Vol. 34, p. 84.

Toll rates applied to operation, sinking fund,

Maintenance as free bridge after amortizing

costs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the city of Washington, Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Washington, Missouri, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. Sec. 2. If tolls are charged for the use of such bridge, the rates

of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under

economical management. An accurate record of the costs of the ture and receipts. bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby Amendment. expressly reserved.

Approved, June 15, 1933.

[CHAPTER 87.]

AN ACT

To amend the National Defense Act of June 3, 1916, as amended.

[Public, No. 64.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of America in Congress assembled, That section 1 of America in Congress assembled, That section 1 of America in Congress assembled, be, and the America in Congress assembled, as amended, be, and the America in Congress assembled, That section 1 of America in Congress assembled, That is a congress as a following in lieu thereof:

"Section 1. That the Army of the United States shall consist of Regular Army, the National Guard of the United States, the the United States, the the United States, the Constant National Guard while in the service of the United States, the Officadded. National Guard while in the service of the United States, the Officers' Reserve Corps, the Organized Reserves, and the Enlisted

Reserve Corps."
Sec. 2. That the fourth paragraph of section 5 of said Act be, and the same is hereby, amended by striking out the same and inserting

the following in lieu thereof:

"All policies and regulations affecting the organization and distribution of the National Guard of the United States, and all amended."

"All policies and regulations affecting the organization and distribution of the National Guard of the United States, and all amended." policies and regulations affecting the organization, distribution, and training of the National Guard, shall be prepared by committees of training of the National Guard, shall be prepared by committees of committees of appropriate branches or divisions of the War Department General affecting National Staff, to which shall be added an equal number of officers from the Guard. Equal number of National Guard of the United States, whose names are borne on National Guard of lists of officers suitable for such duty, submitted by the governors added. of their respective States and Territories, and for the District of Columbia by the Commanding General, District of Columbia National Guard.

"All policies and regulations affecting the organization, distribu-"All policies and regulations affecting the organization, distribution, training, appointment, assignment, promotion, and discharge affecting of members of the Officers' Reserve Corps, the Organized Reserves, etc.

Reserves, etc.
Reserves, etc.
Reserves, etc.
Reserves, officers
of members of the Officers' Reserve Corps, the Organized Reserves, ganization. and the Enlisted Reserve Corps shall be prepared by committees of appropriate branches or divisions of the War Department General Staff to which shall be added an equal number of officers from the Officers' Reserve Corps: Provided, That when the subject to be Representation on studied affects the National Guard of the United States or the committees to study. National Guard and the Officers' Reserve Corps, the Organized Reserves or the Enlisted Reserve Corps, such committees shall consist of an equal representation from the Regular Army, the National Guard of the United States, and the Officers' Reserve Corps. There shall be not less than ten officers on duty in the War Department Duty in War De-General Staff, one half of whom shall be from the National Guard of the United States and one half from the Officers' Reserve Corps. For the purpose specified herein such officers shall be regarded as further, That the Chief of Staff shall transmit to the Secretary of transmit recommendations to Secretary of War the policies and regulations prepared as hereinbefore prescribed war. in this paragraph and advise him in regard thereto. After action by the Secretary of War thereon the Chief of Staff shall act as the agent of the Secretary of War in carrying the same into effect.

Exercise same powers as over the Army.

The Chief of Staff shall exercise the same supervision and control of the reserve components of the Army of the United States as he does over the Regular Army.

Vol. 41, p. 775; Vol. 42, p. 1033.

SEC. 3. That section 37 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

Officers' Reserve etc. Post, p. 939.

"Sec. 37. Officers' Reserve Corps.—For the purpose of provid-Corps. Composition, grades, ing a reserve of officers available for military service when needed there shall be organized an Officers' Reserve Corps consisting of gen-

Appointments by President alone, except general officers.

Periods.

Proviso. War-time service.

Discharges.

Citizenship, etc., requirements.

Post, p. 939.

Former service quali-

Limitation on peace appointments.

Vol. 41, p. 778.

Promotions and

Reserve appointments.

Proviso. Executive power over.
Status of reserve officers not on active duty.

eral officers and officers assigned to sections corresponding to the various branches of the Regular Army and such additional sections as the President may direct. The grades in each section and the number in each grade shall be as the President may prescribe. All persons appointed in the Officers' Reserve Corps are reserve officers and shall be commissioned in the Army of the United States. Such appointments in grades below that of brigadier general shall be made by the President alone, and general officers by and with the advice and consent of the Senate. Appointment in every case in the Officers' Reserve Corps shall be for a period of five years, but an appointment in force at the outbreak of war shall continue in force until six months after its termination: Provided, That an officer of the Officers' Reserve Corps shall be entitled to be relieved from active Federal service within six months after its termination if he makes application therefor. Any officer of the Officers' Reserve Corps may be discharged at any time in the discretion of the President. In time of peace an officer of the Officers' Reserve Corps must at the time of his appointment be a citizen of the United States between the ages of twenty-one and sixty years. Any person who has been an officer of the Army of the United States at any time between April 6, 1917, and June 30, 1919, or who has been an officer of the Regular Army at any time, if qualified, may be appointed in the Officers' Reserve Corps in the highest grade which he held or any lower grade. No other person except as herein provided shall in time of peace be originally appointed as a reserve officer of Infantry, Cavalry, Field Artillery, Coast Artillery, or Air Corps in a grade above that of second lieutenant. In time of peace appointments in the Infantry, Cavalry, Field Artillery, Coast Artillery, and Air Corps shall be limited to former officers of the Army, former officers of the National Guard of the United States, graduates of the Reserve Officers' Training Corps, as provided in section 47b hereof; warrant officers, and enlisted men of the Regular Army, National Guard of the United States, and Enlisted Reserve Corps and persons who served in the Army at some time between April 6, 1917, and November 11, 1918. Promotions in all grades of officers who have established, or may hereafter establish, their qualifications for such promotion, and transfer, shall be made under such regulations as may be prescribed by the Secretary of War, and shall be based so far as practicable upon recommendations made in the established chain of command. So far as practicable, in time of peace, officers of the Officers' Reserve Corps shall be assigned to units in the locality of their places of residence. Nothing in this Act shall operate to deprive an officer of the reserve appointment he now holds: Provided, That this shall not apply to the discretionarydischarge power of the President previously mentioned. Members of the Officers' Reserve Corps, while not on active duty, shall not, by reason solely of their appointments, oaths, commissions, or status as such, or any duties or functions performed or pay or allowances received as such, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit or discharging any official function under or in connection with any department of the Government of the United States."

SEC. 4. That section 38 of said Act be, and the same is hereby, Vol. 39, p. 190; Vol. yended by striking out the same and inserting the following in 43, p. 470, amended amended by striking out the same and inserting the following in

lieu thereof:

"Sec. 38. Officers, National Guard of the United States.—All officers of the National guard of the United States U.S., commissions in are reserve officers and shall be commissioned in the Army of the Army. are reserve officers and shall be commissioned in the Army of the United States. Such appointments in grades below that of brigadier general shall be made by the President alone, and general officers by and with the advice and consent of the Senate.

"Officers in the National Guard of the United States shall be appointed for the period during which they are federally recognized in the same grade and branch in the National Guard: Provided, That an appointment in force at the outbreak of war shall continue in force until six months after its termination: And provided further, That such officer shall be entitled to be relieved from active Federal service within six months after its termination if he makes applica-

tion therefor.

"In time of peace the President may order to active duty, with their consent, officers of the National Guard of the United States for the purposes set forth in sections 5 and 81 of this Act. When on such active duty an officer of the National Guard of the United States shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of active service and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay: Provided, home, but shall not be entitled to retirement or retired pay: Provided, Provided, Provided, That such officers ordered to such active duty shall be paid out of the funds appropriated for the pay of the National Guard.

Provided, Provide the funds appropriated for the pay of the National Guard.

"Officers of the National Guard of the United States, while not on Status of while not on active duty.

"Officers of the National Guard of the United States, while not on active duty.

active duty, shall not, by reason solely of their appointments, oaths, commissions, or status as such, or any duties or functions performed or pay or allowances received as such, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit or discharging any official function under or in connection with any department of the Government of the United States."

SEC. 5. That section 58 of said Act be, and the same is hereby, Vol. 39, p. 107; Vol. amended by striking out the same and inserting the following in lieu thereof:

"Sec. 58. Composition of the National Guard and the National Guard of Guard of the United States.—The National Guard of each State, states, etc.

Territory, and the District of Columbia shall consist of members of Composition. the militia voluntarily enlisted therein, who upon original enlistment shall be not less than eighteen nor more than forty-five years of age, or who in subsequent enlistment shall be not more than sixty-four years of age, organized, armed, equipped, and federally recognized as hereinafter provided, and of commissioned officers and warrant officers who are citizens of the United States between the ages of twenty-one and sixty-four years: Provided, That former members of

twenty-one and sixty-four years: I rovacea, That former members of the Regular Army, Navy, or Marine Corps under sixty-four years members of Army, etc. of age may enlist in said National Guard.

"The National Guard of the United States is hereby established. National Guard of the United States established the United States established. Status of; composition, of those federally recognized National Guard units. and shall consist of those federally recognized National Guard units, tion. and organizations, and of the officers, warrant officers, and enlisted members of the National Guard of the several States, Territories, and the District of Columbia, who shall have been appointed, enlisted and appointed, or enlisted, as the case may be, in the

Appointments.

Period.

Propisos At outbreak of war.

Relief after close of war.

Active peace duty.

Pay and allowances.

Eligible ages.

Proviso. Enlistment of former

Post, p. 160.

Provisos.

Deemed not in active service except when so ordered.

Appointment of noncommissioned National Guard officers.

Vol. 39, p. 197.

Unit organizations.

President to prescribe.

Proviso. State approval.

Vol. 39, p. 200; Vol. 43, p. 470.

Enlistments, National Guard and National Guard of the United States.

Provisos.
Transfers of enlisted men to National Guard of United States for unexpired terms.

Enlistment period may be extended in an emergency.

Vol. 39, p. 201; Vol. 41, p. 781, amended.

Enlistment contract

and oath.

Form.

National Guard of the United States, as hereinafter provided, and of such other officers and warrant officers as may be appointed therein as provided in section 111 hereof: Provided, That the members of the National Guard of the United States shall not be in the active service of the United States except when ordered thereto in accordance with law, and, in time of peace, they shall be administered, armed, uniformed, equipped, and trained in their status as the National Guard of the several States, Territories, and the District of Columbia, as provided in this Act: And provided further, That under such regulations as the Secretary of War shall prescribe, noncommissioned officers, first-class privates, and enlisted specialists of the National Guard may be appointed in corresponding grades, ratings, and branches of the National Guard of the United States, without vacating their respective grades and ratings in the National Guard."

SEC. 6. That section 60 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 60. Organization of National Guard units.—Except as otherwise specifically provided herein, the organization of the National Guard, including the composition of all units thereof, shall be the same as that which is or may hereafter be prescribed for the Regular Army, subject in time of peace to such general exceptions as may be authorized by the Secretary of War. And the President may prescribe the particular unit or units, as to branch or arm of service, to be maintained in each State, Territory, or the District of Columbia in order to secure a force which, when combined, shall form complete higher tactical units: *Provided*, That no change in allotment, branch, or arm of units or organizations wholly within a single State will be made without the approval of the governor of the State concerned."

SEC. 7. That section 69 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 69. Enlistments in the National Guard and in the National Guard of the United States shall be for a period of three years, and subsequent enlistments for periods of one or three years each: Provided, That all enlisted men of the National Guard on the date of approval of this Act may, under such regulations as may be prescribed by the Secretary of War, be enlisted in grade, rating, and branch in the National Guard of the United States for the remaining unexpired portions of their enlistments in the National Guard: And Provided further, That in the event of an emergency declared by Congress the period of any enlistment which otherwise would expire may by Presidential proclamation be extended for a period of six months after the termination of the emergency."

SEC. 8 That section 70 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 70. Men enlisting in the National Guard of the several States, Territories, and the District of Columbia, and in the National Guard of the United States, shall sign an enlistment contract and subscribe to the following oath or affirmation:

"I do hereby acknowledge to have voluntarily enlisted this ____day of _____, 19__, as a soldier in the National Guard of the United States and the State of _____, for the period of three (or one) year__, under the conditions prescribed by law, unless sooner dis-

charged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ____, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the Governor of the State of _____, and of the officers appointed over me according to law and the rules and Articles of War."

Sec. 9. That said Act be amended by adding section 71 thereto, as follows:

"Sec. 71. Definitions.—In this Act, unless the context or sub-

ject matter otherwise requires-

(a) 'National Guard' or 'National Guard of the several States, Territories, and the District of Columbia' means that portion of the Organized Militia of the several States, Territories, and the District of Columbia, active and inactive, federally recognized as provided in this Act and organized, armed, and equipped in whole or in part at Federal expense and officered and trained under paragraph 16, section

8, article I of the Constitution.

"(b) 'National Guard of the United States' means a reserve the United States of those the United States composed of those federally recognized units and organizations and persons duly appointed and commissioned in the active and inactive National Guard of the several States, Territories, and the District of Columbia, who have taken and subscribed to the oath of office prescribed in section 73 of this Act, and who have been duly appointed by the President in the National Guard of the United States, as provided in this Act, and of those officers and warrant officers appointed as prescribed in sections 75 and 111 of this Act, and of those persons duly enlisted in the National Guard of the United States and of the several States, Territories, and the District of Columbia who have taken and subscribed to the oath of enlistment prescribed in section 70 of this Act.

SEC. 10. That section 72 of said Act be, and the same is hereby, Vol. 41, p. 781, amended. amended by striking out the same and inserting the following in

lieu thereof:

"Sec. 72. An enlisted man discharged from service in the National Discharges; certificates to be given. Guard and the National Guard of the United States shall receive a or shall be prescribed for the Regular Army, and in time of peace nated. discharges may be given prior to the expiration of the expiration discharges may be given prior to the expiration of terms of enlistment under such regulations as the Secretary of War may prescribe."

SEC. 11. That section 73 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in

lieu thereof

"Sec. 73. Oaths of National Guard officers—Appointment in THE NATIONAL GUARD OF THE UNITED STATES.—Commissioned officers and warrant officers of the National Guard of the several States. Territories, and the District of Columbia and in the National Guard of the United States shall take and subscribe to the following oath of office:

" I, ___ ---, do solemnly swear that I will support and defend the Constitution of the United States and the constitution of the State of _____ against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the Governor of the State of ____; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of _____ in the National Guard of the United States and of the State of _____ upon which I am about to enter, so help me God.

New section. Vol. 41, p. amended. Definitions.

"National Guard."

Post, pp. 158, 160,

Vol. 39, p. 201.

Oath of officers.

Appointment to same grade and branch in the National Guard of the United States.

Proviso.
Not to vacate State, etc., office.

Federally recognized officers of National Guard, appointment,

Vol. 39, p. 202.

Examinations for

Board of examiners.

Certificate to issue, if qualified.

Eligibility for appointment in National Guard of the United States.

States. Vol. 39, p. 202.

Withdrawal of Federal recognition.

Absence without leave for 3 months.

"The President is authorized to appoint in the same grade and branch in the National Guard of the United States any person who is an officer or warrant officer in the National Guard of any State, Territory, or the District of Columbia and who is federally recognized in that grade and branch: *Provided*, That acceptance of appointment in the same grade and branch in the National Guard of the United States, by an officer of the National Guard of a State, Territory, or the District of Columbia, shall not operate to vacate his State, Territory, or District of Columbia National Guard office.

"Officers or warrant officers of the National Guard who are in a federally recognized status on the date of the approval of this Act shall take the oath of office herein prescribed and shall be appointed in the National Guard of the United States in the same grade and branch without further examination, other than physical, within a time limit to be fixed by the President, and shall in the meantime continue to enjoy all the rights, benefits, and privileges conferred by this Act."

SEC. 12. That section 75 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 75. The provisions of this Act shall not apply to any person hereafter appointed as an officer of the National Guard unless he first shall have successfully passed such tests as to his physical, moral, and professional fitness as the President shall prescribe. The examination to determine such qualifications for appointment shall be conducted by a board of three commissioned officers appointed by the Secretary of War from the Regular Army or the National Guard of the United States, or both. The examination herein provided for may be held prior to the original appointment or promotion of any individual as an officer or warrant officer and if the applicant has been found qualified, he may be issued a certificate of eligibility by the Chief of the National Guard Bureau, which certificate, in the event of appointment or promotion within two years to the office for which he was found qualified, shall entitle the holder to Federal recognition without further examination, except as to his physical condition.

"Upon being federally recognized such officers and warrant offi-

"Upon being federally recognized such officers and warrant officers may be appointed in the National Guard of the United States."

Sec. 13. That section 76 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 76. Withdrawal of Federal recognition.—Under such regulations as the President shall prescribe the capacity and general fitness of any officer or warrant officer of the National Guard of the several States, Territories, and the District of Columbia for continued Federal recognition may at any time be investigated by an efficiency board of officers senior in rank to the officer under investigation, appointed by the Secretary of War from the Regular Army or the National Guard of the United States, or both. If the findings of said board be unfavorable to the officer under investigation and be approved by the President, Federal recognition shall be withdrawn and he shall be discharged from the National Guard of the United States. Federal recognition may be withdrawn by the Secretary of War and his appointment in the National Guard of the United States may be terminated when an officer or warrant officer of the National Guard of any State, Territory, or the District of Columbia has been absent without leave for three months."

Sec. 14. That section 77 of said Act be, and the same is hereby, wol. 3 amended amended by striking out the same and inserting the following in

lieu thereof:

"Sec. 77. Elimination and disposition of officers of the Na-washing, etc., commissions and grounds the Tional Guard of the United States.—The appointments of officers therefor. and warrant officers of the National Guard may be terminated or vacated in such manner as the several States, Territories, or the District of Columbia shall provide by law. Whenever the appointment of an officer or warrant officer of the National Guard of a State. Territory, or the District of Columbia has been vacated or terminated, or upon reaching the age of sixty-four, the Federal recognition of such officer shall be withdrawn and he shall be discharged from the National Guard of the United States: Provided, That under such regulations as the Secretary of War may prescribe upon termination of service in the active National Guard an officer of the therein. National Guard of the United States may, if he makes application therefor, remain in the National Guard of the United States in the same grade and branch of service. When Federal recognition is same grade and branch of service. When Federal recognition is withdrawn from any officer or warrant officer of the National Guard drawal of Federal recognition or reaching of any State, Territory, or the District of Columbia, as provided against. in section 76 of this Act. or upon reaching the age of sixty-four Ante, p. 158. in section 76 of this Act, or upon reaching the age of sixty-four years, he shall thereupon cease to be a member thereof and shall be given a discharge certificate therefrom by the official authorized to appoint such officer."

SEC. 15. That section 78 of said Act be, and the same is hereby, Vol. 39, p. 202; Vol. amended by striking out the same and inserting the following in

lieu thereof:

"Sec. 78. Men duly qualified for enlistment in the active National Guard re-Guard may enlist for one term only in the inactive National Guard and in the National Guard of the United States for a period of one or contract, oath, etc. three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall sign an enlistment contract and subscribe to the oath or affirmation in section 70 of this Act.

"Under such regulations as the Secretary of War may prescribe, enlisted men of the active National Guard, not formerly enlisted in the inactive National Guard or the National Guard of the United States, may be transferred to the inactive National Guard; likewise enlisted men hereafter enlisted in or transferred to the inactive National Guard may be transferred to the active National Guard: Provided, That in time of peace no enlisted man shall be required to serve under any enlistment for a longer time than the period for which he enlisted in the active or inactive National Guard, as the case may be. Members of said inactive National Guard, when engaged in field or coast-defense training with the active National Guard, shall receive the same Federal pay and allowances as those occupying like grades on the active list of said National Guard when likewise engaged."

SEC. 16. That section 81 of said Act be, and the same is hereby, Vol. 39, p. 203; Vol. amended by striking out the same and inserting the following in

lieu thereof:

"Sec. 81. The National Guard Bureau.—The Militia Bureau of Bureau.

e War Department shall hereafter be known as the National Guard Appointment of Chief of the National Guard Bureau, shall be and Chief. the War Department shall hereafter be known as the National Guard Bureau. The Chief of the National Guard Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of officers of the National Guard of the United States recommended as suitable for such appointment by their respective governors, and who have had ten or more years' commissioned service in the active National Guard, at least five of which have been in the line, and who have attained at least the grade

202.

Proviso. Status of National Guard officer upon termination of service

Ante, p. 156.

Transfers between active and inactive services.

Proviso. Peace time service.

Field, etc., service

Qualifications.

Term.

Rank.

Pay and allowances.

Assignment of Army officers to, etc.

Detail of National Guard of U.S. officers

Filling vacancies.

Payment from Na-tional Guard approappropriation.

Vol. 39, p. 203, amended.

National Guard, armament, equipment,

Vol. 39, p. 211; Vol. 41, p. 784.

President's order for active military service in national emergency.

Persons so ordered relieved temporarily from State, etc., obliga-

To be subject to Army regulations, etc.

The Chief of the National Guard Bureau shall hold office for four years unless sooner removed for cause, and shall not be eligible to succeed himself, and when sixty-four years of age shall cease to hold such office. Upon accepting his office, the Chief of the National Guard Bureau shall be appointed a major general in the National Guard of the United States, and commissioned in the Army of the United States, and while so serving he shall have the rank, pay, and allowances of a major general, provided by law, but shall not be entitled to retirement or retired pay.

"For duty in the National Guard Bureau and for instruction of the National Guard the President shall assign such number of officers of the Regular Army as he may deem necessary; also, such number of enlisted men of the Regular Army for duty in the instruction of the National Guard. The President may also order, with their consent, to active duty in the National Guard Bureau, not more than four officers who at the time of their initial assignments hold appointments in the National Guard of the United States, and any such officers while so assigned shall receive the pay and allowances provided by law.

"In case the office of the Chief of the National Guard Bureau becomes vacant or the incumbent because of disability is unable to discharge the powers and duties of the office, the senior officer on duty in the National Guard Bureau, appointed from the National Guard of the United States, shall act as chief of said bureau until the incumbent is able to resume his duties or the vacancy in the office is regularly filled. The pay and allowances provided in this section for the Chief of the National Guard Bureau and for the officers ordered to active duty from the National Guard of the United States shall be paid out of the funds appropriated for the pay of the National Guard."

SEC. 17. That section 82 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 82. Armament, equipment, and uniform of the National GUARD.—The National Guard shall, as far as practicable, be uniformed, armed, and equipped with the same type of uniforms, arms, and equipments as are or shall be provided for the Regular Army."

Sec. 18. That section 111 of said Act be, and the same is hereby,

amended by striking out the same and inserting the following in lieu thereof:

"Sec. 111. When Congress shall have declared a national emergency and shall have authorized the use of armed land forces of the United States for any purpose requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations, including such physical examination as he may prescribe, order into the active military service of the United States, to serve therein for the period of the war or emergency, unless sooner relieved, any or all units and the members thereof of the National Guard of the United States. All persons so ordered into the active military service of the United States shall from the date of such order stand relieved from duty in the National Guard of their respective States, Territories, and the District of Columbia so long as they shall remain in the active military service of the United States, and during such time shall be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Army whose per-Units to be kept in manent retention in active military service is not contemplated by The organization of said units existing at the date of the

order into active Federal service shall be maintained intact insofar

as practicable.

Commissioned officers and warrant officers appointed in the officers thereof ordered to active duty. National Guard of the United States and commissioned or holding warrants in the Army of the United States, ordered into Federal service as herein provided, shall be ordered to active duty under those officers and warrant officers of the National Guard who do cers not hold appointments in the National Guard of the United States and commissions or warrants in the Army of the United States may etc.

Provise.

National Guard officers not holding appointments in National Guard of United States may etc. be appointed and commissioned or tendered warrants therein by the President, in the same grade and branch they hold in the National Guard.

Pay and allowances.

"Officers and enlisted men while in the service of the United States under the terms of this section shall receive the pay and allowances provided by law for officers and enlisted men of the reserve forces when ordered to active duty, except brigadier generals and major generals, who shall receive the same pay and allowances as provided by law for brigadier generals and major generals of the Regular Units, etc., to revert Army, respectively. Upon being relieved from active duty in the from active duty, etc. military service of the United States all individuals and units shall thereupon revert to their National Guard status.

"In the initial mobilization of the National Guard of the United personnel." States, war-strength officer personnel shall be taken from the National Guard as far as practicable, and for the purpose of this expansion warrant officers and enlisted men of the National Guard may, in time of peace, be appointed officers in the National Guard of the United States and commissioned in the Army of the United

Sec. 19. That section 112 of said Act be, and the same is hereby, vol. 3 amended. amended by striking out the same and inserting the following in lieu thereof:

"Sec. 112. Rights to Pensions.—When any officer, warrant officer, applicable. or enlisted man of the National Guard or the National Guard of the United States called or ordered into the active service of the United States, or when any officer of the Officers' Reserve Corps or any person in the Enlisted Reserve Corps ordered into active service except for training, is disabled by reason of wounds or disa- in active service bility received or incurred while in the active service of the United States, he shall be entitled to all the benefits of the pension laws existing at the time of his active service; and in case such officer or enlisted man dies in the active service of the United States or in returning to his place of residence after being mustered out of active service, or at any other time in consequence of wounds or disabilities received in such active service, his widow and children, if any, shall be entitled to all the benefits of such pension laws."

Act be, and the same is hereby, amended by striking out the same amended. and inserting the following in lieu thereof:

and inserting the following in lieu thereof:

"In time of war any officer of the Regular Army may be appointed to higher temporary grade without vacating his permanent appointment. In time of war any officer of the Regular Army appointed to higher temporary grade, and all other persons appointed, as Appointments by officers, shall be appointed and commissioned in the Army of the general officers. United States. Such appointments in grades below that of brigadier general shall be made by the President alone, and general officers by and with the advice and consent of the Senate: Provided, That an appointment, other than that of a member of the Regular Army

39, p. 211,

Disabilities incurred

Commissions.

Proviso. War time service.

made in time of war, shall continue until six months after its termination, and an officer appointed in time of war shall be entitled to be relieved from active Federal service within six months after its termination if he makes application therefor."

Approved, June 15, 1933.

[CHAPTER 88.]

AN ACT

June 15, 1933 [H.R. 5793.]

To revive and reenact the Act entitled "An Act authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across Lake Champlain from East Alburg, Vermont, to West Swanton, Ver-, approved March 2, 1929.

Lake Champlain. Construction of bridge across, at East Alburg, Vt. Alburg, Vt. Vol. 45, p. 1506.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved March 2, 1929, authorizing Jed P. Ladd, his heirs, legal representatives, and assigns, to construct a bridge across Lake Champlain, between a point at or near East Alburg, Vermont, and a point at or near wanton, Vermont, be, and the same is hereby, revived and reenacted: Provided, That this Act shall be null and void the netural construction of the heider beauty and the unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Commencement construction.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 15, 1933.

[CHAPTER 89.]

AN ACT

June 16, 1933. [H.R. 5661.] [Public, No. 66.]

To provide for the safer and more effective use of the assets of banks, to regulate interbank control, to prevent the undue diversion of funds into speculative operations, and for other purposes.

Banking Act of 1933. Post, p. 888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the short title of this Act shall be the "Banking Act of 1933."

SEC. 2. As used in this Act and in any provision of law amended by this Act-

Terms construed.

(a) The terms "banks", "national bank", "national banking association", "member bank", "board", "district", and "reserve bank" shall have the meanings assigned to them in section 1 of the

Vol. 38, p. 251. U.S.C., p. 274.

Federal Reserve Act, as amended. (b) Except where otherwise specifically provided, the term "affili-

"Affiliates," "Affiliates," organizations included within term.

ate" shall include any corporation, business trust, association, or other similar organization-

Member bank having controlling interest.

(1) Of which a member bank, directly or indirectly, owns or controls either a majority of the voting shares or more than 50 per centum of the number of shares voted for the election of its directors, trustees, or other persons exercising similar functions at the preceding election, or controls in any manner the election of a majority of its directors, trustees, or other persons exercising similar functions; or

Shareholders of mem-ber bank control.

(2) Of which control is held, directly or indirectly, through stock ownership or in any other manner, by the shareholders of a member bank who own or control either a majority of the shares of such bank or more than 50 per centum of the number of shares voted for the election of directors of such bank at the preceding election, or by trustees for the benefit of the shareholders of any such bank; or

(3) Of which a majority of its directors, trustees, or other persons and directors of member exercising similar functions are directors of any one member bank.

(c) The term "holding company affiliate" shall include any corporation, business trust, association, or other similar organization—

"Holding company affiliate," organization—
included within term.

(1) Which owns or controls, directly or indirectly, either a When majority of majority of the shares of capital stock of a member bank or more of member bank owned, than 50 per centum of the number of shares voted for the election of directors of any one bank at the preceding election, or controls in any manner the election of a majority of the directors of any one bank; or

(2) For the benefit of whose shareholders or members all or When capital stock substantially all the capital stock of a member bank is held by in trust.

trustees.

SEC. 3. (a) The fourth paragraph after paragraph "Eighth" of section 4 of the Federal Reserve Act, as amended (U.S.C., title 12,

sec. 301), is amended to read as follows:

fairly and impartially and without discrimination in favor of or extension of discounts, against any member bank or banks and may, subject to the provisions of law and the orders of the Federal Particle Provisions of the Provisions of the Federal Particle Provisions of the Provisions of the Federal Particle Provisions of the Provision of the Provisions of the Prov to each member bank such discounts, advancements, and accommodations as may be safely and reasonably made with due regard for the claims and demands of other member banks, the maintenance of sound credit conditions, and the accommodation of commerce, industry, and agriculture. The Federal Reserve Board may prescribe regulations further defining within the limitations of this Act the ditions. conditions under which discounts, advancements, and the accommodations may be extended to member banks. Each Federal reserve Reserve bank to keep bank shall keep itself informed of the general character and amount etc., of loans. of the loans and investments of its member banks with a view to ascertaining whether undue use is being made of bank credit for the speculative carrying of or trading in securities, real estate, or commodities, or for any other purpose inconsistent with the maintenance of sound credit conditions; and, in determining whether to grant or refuse advances, rediscounts or other credit accommodations, the Federal reserve bank shall give consideration to such information. The chairman of the Federal reserve bank shall report to the Federal Reserve Board any such undue use of bank credit by any member bank, together with his recommendation. Whenever, in the judgment of the Federal Reserve Board, any member bank credit facilities. is making such undue use of bank credit, the Board may, in its discretion, after reasonable notice and an opportunity for a hearing, suspend such bank from the use of the credit facilities of the Federal Reserve System and may terminate such suspension or may renew it from time to time."

(b) The paragraph of section 4 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 304), which commences with the words "The Federal Reserve Board shall classify" is amended by inserting directors. before the period at the end thereof a colon and the following: "Provided, That whenever any two or more member banks within "Frovided, That whenever any two or more member banks within the same Federal reserve district are affiliated with the same holding the same h company affiliate, participation by such member banks in any such nomination or election shall be confined to one of such banks, which may be designated for the purpose by such holding company affiliate."

Sec. 4. The first paragraph of section 7 of the Federal Reserve 40, p. 1314, P. 278, Vol. 38, p. 258; Vol. Act, as amended (U.S.C., title 12, sec. 289), is amended, effective U.S.C., p. 278. Effective date of amendment.

"After all necessary expenses of a Federal reserve bank shall have reserve bank. been paid or provided for, the stockholders shall be entitled to receive

Vol. 38, p. 255. U.S.C., p. 278.

Federal Reserve Board to prescribe con-

Report by reserve bank.

Suspension of mem-

Hearing and notice.

Vol. 38, p. 259; Vol. 40, p. 232; Vol. 44, p. 1229.
U.S.C., p. 279; Supp. VI, p. 135. Application of Morris Plan banks to become member banks.

Vol. 40, p. 233. U.S.C., pp. 279, 280; Supp. VI, p. 135.

Mutual savings

Amount of.

Net earnings paid an annual dividend of 6 per centum on the paid-in capital stock, into surplus fund. Franchise tax pay- which dividend shall be cumulative. After the aforesaid dividend Franchise tax pay which dividend shall be cumulative. After the aforesaid dividend ments, eliminated. claims have been fully met, the net earnings shall be paid into the surplus fund of the Federal reserve bank."

Sec. 5. (a) The first paragraph of section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 321; Supp. VI, title 12, sec. 321), is amended by inserting immediately after the words "United States" a comma and the following: "including Morris Plan banks and other incorporated banking institutions engaged in similar

Vol. 40, p. 233; Vol. 44, p. 1229.

(b) The second paragraph of section 9 of the Federal Reserve Act, as amended, is amended by adding at the end thereof the following:

State member banks. Power to establish branches.

"Provided, however, That nothing herein contained shall prevent any State member bank from establishing and operating branches in the United States or any dependency or insular possession thereof or in any foreign country, on the same terms and conditions and subject to the same limitations and restrictions as are applicable to the

establishment of branches by national banks."

(c) Section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 321-331; Supp. VI, title 12, secs. 321-332), is further amended by adding at the end thereof the following new paragraphs:

"Any mutual savings bank having no capital stock (including any other banking institution the capital of which consists of weekly or other time deposits which are segregated from all other deposits and are regarded as capital stock for the purposes of taxation and the declaration of dividends), but having surplus and undivided profits Application of to not less than the amount of capital required for the organization of a Subscription to capital stock of reserve bank required.

Subscription to capital required for the organization of a national bank in the same place, may apply for and be admitted to membership in the Federal Reserve System in the same manner and subject to the same provisions of law as State banks and trust companies, except that any such savings bank shall subscribe for the organization of a national bank in the same place, may apply for and be admitted to membership in the Federal Reserve System in the same manner and subject to the same provisions of law as State banks and trust companies, except that any such savings bank shall subscribe for the organization of a national bank in the same place, may apply for and be admitted to membership in the Federal Reserve System in the same manner and subject to the same provisions of law as State banks and trust companies, except that any such savings bank shall subscribe for the organization of a national bank in the same place, may apply for and be admitted to membership in the Federal Reserve System in the same manner and subject to the same provisions of law as State banks and trust companies, except that any such savings bank shall subscribe for the same place. stock of the Federal reserve bank in an amount equal to six-tenths of 1 per centum of its total deposit liabilities as shown by the most recent report of examination of such savings bank preceding its admission Adjustment semian-nually under rules of Reserve Board. to membership. Thereafter such subscription shall be adjusted semiannually on the same percentage basis in accordance with rules Reserve Board. semiannually on the same percentage basis in accordance with rules subscription unlawful and regulations prescribed by the Federal Reserve Board. If any such mutual savings bank applying for membership is not permitted by the laws under which it was organized to purchase stock in a Federal reserve bank, it shall, upon admission to the system, deposit with the Federal reserve bank an amount equal to the amount which it would have been required to pay in on account of a subscription to capital stock. Thereafter such deposit shall be adjusted semi-Conditions subject to, annually in the same manner as subscriptions for stock. Such Post, p. 971. deposits shall be subject to the same conditions with respect to repayment as amounts paid upon subscriptions to capital stock by other Application of deposit to subscription, if subscription here which any such savings bank was organized by other thereon at the same rate as dividends are actually paid on outstanding shares of stock of such Federal reserve bank. If the laws under after legalized. authorize mutual savings banks to subscribe for Federal reserve bank stock, such savings bank shall thereupon subscribe for the appropriate Termination of savinbefore provided for in lieu of payment upon capital stock shall be applied upon such subscription. If the laws under which amount of stock in the Federal reserve bank, and the deposit heresavings bank was organized be not amended at the next session of the legislature following the admission of such savings bank to When right to sub- membership so as to authorize mutual savings banks to purchase

Federal reserve bank stock, or if such laws be so amended and such when granted and such failure to purchase bank fail within six months thereafter to purchase such stock, all stock. of its rights and privileges as a member bank shall be forfeited and its membership in the Federal Reserve System shall be terminated in the manner prescribed elsewhere in this section with respect to State member banks and trust companies. Each such mutual savings banks to comply with bank shall comply with all the provisions of law applicable to State State laws and Reserve member banks and trust companies with the regulations of the Red. member banks and trust companies, with the regulations of the Federal Reserve Board and with the conditions of membership prescribed for such savings bank at the time of admission to membership, except

as otherwise hereinbefore provided with respect to capital stock.

"Each bank admitted to membership under this section shall Beports by admitted banks and affiliates." obtain from each of its affiliates other than member banks and furnish to the Federal reserve bank of its district and to the Federal Reserve Board not less than three reports during each year. Such reports shall be in such form as the Federal Reserve Board may prescribe, shall be verified by the oath or affirmation of the president or such other officer as may be designated by the board of directors of such affiliate to verify such reports, and shall disclose the infor-closed. mation hereinafter provided for as of dates identical with those fixed by the Federal Reserve Board for reports of the condition of the affiliated member bank. Each such report of an affiliate shall be transmitted as herein provided at the same time as the corresponding report of the affiliated member bank, except that the Federal Reserve Board may, in its discretion, extend such time for good cause shown. Each such report shall contain such information quired. as in the judgment of the Federal Reserve Board shall be necessary to disclose fully the relations between such affiliate and such bank and to enable the Board to inform itself as to the effect of such relations upon the affairs of such bank. The reports of such affiliates shall be published by the bank under the same conditions as govern its own condition reports.

"Any such affiliated member bank may be required to obtain from affiliate may be reany such affiliate such additional reports as in the opinion of its quired." Federal reserve bank or the Federal Reserve Board may be necessary in order to obtain a full and complete knowledge of the condition of the affiliated member bank. Such additional reports shall be eral Reserve Board. transmitted to the Federal reserve bank and the Federal Reserve Board and shall be in such form as the Federal Reserve Board may

"Any such affiliated member bank which fails to obtain from any of its affiliates and furnish any report provided for by the two ports. preceding paragraphs of this section shall be subject to a penalty of \$100 for each day during which such failure continues, which, by direction of the Federal Reserve Board, may be collected, by suit or otherwise, by the Federal reserve bank of the district in which such member bank is located. For the purposes of this paragraph and strued. the two preceding paragraphs of this section, the term 'affiliate' shall include holding company affiliates as well as other affiliates.

"State member banks shall be subject to the same limitations and conditions with respect to the purchasing, selling, underwriting, and holding of investment securities and stock as are applicable in the case of national banks under paragraph 'Seventh' of section 5136 44, p. 1256. U.S.C., p. 260; Supp. "After one year from the date of the enactment of the Banking Act of 1933, no certificate representing the stock of any State member bank shall represent the stock of any other corporation, except a stock of other corporation.

bank shall represent the stock of any other corporation, except a stock of other corporation member bank or a corporation existing on the date this paragraph Exception. member bank or a corporation existing on the date this paragraph takes effect engaged solely in holding the bank premises of such State

Form of reports.

Verification.

Report of affiliates.

Information re-

Publication of.

Penalty provision. Failure to furnish re-

"Affiliate", con-

Transfer of certificate member bank, nor shall the ownership, sale, or transfer of any certificate representing the stock of any such bank be conditioned in any manner whatsoever upon the ownership, sale, or transfer of a certificate representing the stock of any other corporation, except a

State member banks and holding company affiliates. Agreements required.

R.S., sec. 5144, p. 994. U.S.C., p. 262.

comply.

Reserve Board may require State member affiliates to surrender stock and rights.

Examinations of State member banks.

Of affiliates.

penses.

Vol. 38, p. 260; Vol. 40, p. 1316; Vol. 42, p. 620. U.S.C., p. 275.

Ineligibility to hold office in member banks.

Terms of office office of Federal members of Reserve Board.

"Each State member bank affiliated with a holding company affiliate shall obtain from such holding company affiliate, within such time as the Federal Reserve Board shall prescribe, an agreement that such holding company affiliate shall be subject to the same conditions and limitations as are applicable under section 5144 of the Revised Statutes, as amended, in the case of holding company Copy of agreement; affiliates of national banks. A copy of each such agreement shall be Penalty on failure to filed with the Federal Reserve Board. Upon the failure of a State member bank affiliated with a holding company affiliate to obtain such an agreement within the time so prescribed, the Federal Reserve Board shall require such bank to surrender its stock in the Federal reserve bank and to forfeit all rights and privileges of membership in the Federal Reserve System as provided in this section. ever the Federal Reserve Board shall have revoked the voting permit of any such holding company affiliate, the Federal Reserve Board may, in its discretion, require any or all State member banks affiliated with such holding company affiliate to surrender their stock in the Federal reserve bank and to forfeit all rights and privileges of membership in the Federal Reserve System as provided in this section.

"In connection with examinations of State member banks, examiners selected or approved by the Federal Reserve Board shall make such examinations of the affairs of all affiliates of such banks as Relationships to be shall be necessary to disclose fully the relations between such banks and their affiliates and the effect of such relations upon the affairs The expense of examination of affiliates of any State Assessments for ex- of such banks. member bank may, in the discretion of the Federal Reserve Board, Penalty upon failure by such bank. required. be assessed against such bank and, when so assessed, shall be paid In the event of the refusal to give any information requested in the course of the examination of any such affiliate, or in the event of the refusal to permit such examination, or in the event of the refusal to pay any expense so assessed, the Federal Reserve Board may, in its discretion, require any or all State member banks affiliated with such affiliate to surrender their stock in the Federal reserve bank and to forfeit all rights and privileges of membership in the Federal Reserve System, as provided in this section."

SEC. 6. (a) The second paragraph of section 10 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 242), is amended to read as follows:

"The Secretary of the Treasury and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointive members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed. Upon the expiration of the term of any appointive member of the Federal Reserve Board in office when this paragraph as amended takes effect, the President shall fix the term of the successor to such member at not to exceed twelve years, as designated by the President at the time of nomination, but in such manner as to provide for the expiration of the term of not more than one appointive member in any two-year period, and thereafter each appointive member shall

hold office for a term of twelve years from the expiration of the term of his predecessor. Of the six persons thus appointed, one shall be designated by the President as governor and one as vice governor of the Federal Reserve Board. The governor of the Federal Reserve Board, subject to its supervision, shall be its active executive officer. Each member of the Federal Reserve Board shall within fifteen days after notice of appointment make and subscribe to the oath of office."

(b) The fourth paragraph of section 10 of the Federal Reserve Vol. 38, p. 261; Vol. ct, as amended (U.S.C., title 12, sec. 244), is amended to read as 42, p. 621. U.S.C., p. 275. Act, as amended (U.S.C., title 12, sec. 244), is amended to read as

follows:

"The principal offices of the Board shall be in the District of Board.

"The principal offices of the Board the Secretary of the Treasury Chairman shall preside as chairman, and, in his absence, the governor shall preside. In the absence of both the Secretary of the Treasury and the governor the vice governor shall preside. In the absence of the Secretary of the Treasury, the governor, and the vice governor the Board shall elect a member to act as chairman pro tempore. The Board shall determine and prescribe the manner in which its obligations shall be incurred and its disbursements and expenses allowed took incurred. and paid, and may leave on deposit in the Federal Reserve banks the proceeds of assessments levied upon them to defray its estimated expenses and the salaries of its members and employees, whose employment, compensation, leave, and expenses shall be governed solely by the provisions of this Act, specific amendments thereof, and rules and regulations of the Board not inconsistent therewith; and funds derived from such assessments shall not be construed to be Government funds or appropriated moneys. No member of the Fed-qualifications of oral Reserve Board shall be an officer or director of the Fed-members. eral Reserve Board shall be an officer or director of any bank, banking institution, trust company, or Federal Reserve bank or hold stock in any bank, banking institution, or trust company; and before entering upon his duties as a member of the Federal Reserve Board he shall certify under oath that he has complied with this requirement, and such certification shall be filed with the secretary of the Whenever a vacancy shall occur, other than by expiration of term, among the six members of the Federal Reserve Board appointed by the President as above provided, a successor shall be appointed by the President, by and with the advice and consent of the Senate, to fill such vacancy, and when appointed he shall hold office for the unexpired term of his predecessor.

SEC. 7. Paragraph (m) of section 11 of the Federal Reserve Act, as 41, p. 1146. amended (U.S.C., title 12, sec. 248), is amended to read as follows:

bers the Federal Reserve Board shall have power to fix from time bank capital and surpto time for each Federal reserve district the percentage of individual bank capital and surplus which may be represented by loans. secured by stock or bond collateral made by member banks within secured by stock or bond conateral made by member banks within such district, but no such loan shall be made by any such bank to amount of loan. Any percentage such bank to amount of loan.

The local Research shall be such bank. Any percentage so fixed change.

Percentage subject to change. by the Federal Reserve Board shall be subject to change from time to time upon ten days' notice, and it shall be the duty of the Board to establish such percentages with a view to preventing the undue use of bank loans for the speculative carrying of securities. Federal Reserve Board shall have power to direct any member bank from increasing loans. to refrain from further increase of its loans secured by stock or bond collateral for any period up to one year under penalty of suspension of all rediscount privileges at Federal reserve banks."

Designation of gover-nor.

Oath of office.

Principal offices of

Salaries, leave, etc.

Vacancies

Power to direct bank

Vol. 38, p. 263. U.S.C., pp. 277, 281.

Federal Open Maret Committee; ket created.

Members. Selection of.

Meetings.

Regulations govern-ing open-market opera-tions by Reserve banks. Ante, p. 51.

Adoption of regula-

Post, p. 183. Vol. 38, p. 264. U. S. C., p. 283.

Filing decision not to participate in open-market operations.

Federal Deposit In-surance Corporation;

surance Corporation; created,
Duty to liquidate,
etc., closed national
and State member
banks.
Post, pp 279, 969.

Management of Cor-

Directors, appointment.

pensation.

Appropriation

Sec. 8. The Federal Reserve Act, as amended, is amended by inserting between sections 12 and 13 (U.S.C., title 12, secs. 261, 262, and

342), thereof the following new sections:

"Sec. 12A. (a) There is hereby created a Federal Open Market Committee (hereinafter referred to as the 'committee'), which shall consist of as many members as there are Federal reserve districts. Each Federal reserve bank by its board of directors shall annually select one member of said committee. The meetings of said committee shall be held at Washington, District of Columbia, at least four times each year, upon the call of the governor of the Federal Reserve Board or at the request of any three members of the committee, and, in the discretion of the Board, may be attended

by the members of the Board.

"(b) No Federal reserve bank shall engage in open-market operations under section 14 of this Act except in accordance with regulations adopted by the Federal Reserve Board. The Board shall consider, adopt, and transmit to the committee and to the several Federal reserve banks regulations relating to the open-market transactions of such banks and the relations of the Federal Reserve System

with foreign central or other foreign banks.

"(c) The time, character, and volume of all purchases and sales of paper described in section 14 of this Act as eligible for openmarket operations shall be governed with a view to accommodating commerce and business and with regard to their bearing upon the general credit situation of the country.

"(d) If any Federal reserve bank shall decide not to participate in open-market operations recommended and approved as provided in paragraph (b) hereof, it shall file with the chairman of the committee within thirty days a notice of its decision, and transmit

a copy thereof to the Federal Reserve Board.

"Sec. 12B. (a) There is hereby created a Federal Deposit Insurance Corporation (hereinafter referred to as the 'Corporation'), whose duty it shall be to purchase, hold, and liquidate, as hereinafter provided, the assets of national banks which have been closed by action of the Comptroller of the Currency, or by vote of their directors, and the assets of State member banks which have been closed by tors, and the assets of State member banks which have been closed by action of the appropriate State authorities, or by vote of their Insurance of deposits. directors; and to insure, as hereinafter provided, the deposits of all banks which are entitled to the benefits of insurance under this section.

"(b) The management of the Corporation shall be vested in a board of directors consisting of three members, one of whom shall be the Comptroller of the Currency, and two of whom shall be citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of the appointive members shall be the chairman of the board of directors of the Corporation and not more than two of the members of such board of directors shall be members of the same political party. Each such appointive member shall hold office for a term of six years and shall receive compensation at the rate of \$10,000 per annum, payable monthly out of the funds of the Corporation, but the Comptroller of the Currency shall not receive additional compensation for his services as such member.

Appropriation authorized, payment for Corporation capital money in the Treasury not otherwise appropriated, the sum of stock.

Post, p. 279.

**Corporation capital money in the Treasury not otherwise appropriated, the sum of \$150,000,000, which shall be available for payment by the Secretary of the Treasury for capital stock of the Corporation in an equal amount, which shall be subscribed for by him on behalf of the United

States. Payments upon such subscription shall be subject to call in whole or in part by the board of directors of the Corporation. Such To be additional. stock shall be in addition to the amount of capital stock required to be subscribed for by Federal reserve banks and member and nonmember banks as hereinafter provided, and the United States shall be Dividend payments to United States. entitled to the payment of dividends on such stock to the same extent as member and nonmember banks are entitled to such payment on the class A stock of the Corporation held by them. Receipts for payments by the United States for or on account of such stock shall be issued by the Corporation to the Secretary of the Treasury and shall be evidence of the stock ownership of the United States.

"(d) The capital stock of the Corporation shall be divided into shares of \$100 each. Certificates of stock of the Corporation shall \$100 each. be of two classes—class A and class B. Class A stock shall be held. Stock certificates, be of two classes—class A and class B. Class A stock shall be held classes. by member and nonmember banks as hereinafter provided and they shall be entitled to payment of dividends out of net earnings at the rate of 6 per centum per annum on the capital stock paid in by them, which dividends shall be cumulative, or to the extent of 30 per centum amount. of such net earnings in any one year, whichever amount shall be the greater, but such stock shall have no vote at meetings of stockholders.

Class B stock shall be held by Federal reserve banks only and shall Reserve bank. not be entitled to the payment of dividends. Every Federal reserve bank shall subscribe to shares of class B stock in the Corporation to an amount equal to one half of the surplus of such bank on January 1, 1933, and its subscriptions shall be accompanied by a certified check payable to the Corporation in an amount equal to one half of such subscription. The remainder of such subscription shall be subject to call from time to time by the board of directors upon ninety days'

"(e) Every bank which is or which becomes a member of the Fed- Subscriptions of the Reserve System on or before July 1, 1934, shall take all steps July 1, 1934. necessary to enable it to become a class A stockholder of the Corporation on or before July 1, 1934; and thereafter no State bank or Admission to memtrust company or mutual savings bank shall be admitted to mem-bership thereafter; subscription required. bership in the Federal Reserve System until it becomes a class A stockholder of the Corporation, no national bank in the continental United States shall be granted a certificate by the Comptroller of mence or resume banks. Certificate to commence the Currency authorizing it to commence the business of banking ing business denied until it becomes a member of the Federal Reserve System and a class A stockholder. class A stockholder of the Corporation, and no national bank in the continental United States for which a receiver or conservator has been appointed shall be permitted to resume the transaction of its banking business until it becomes a class A stockholder of the Corporation. Every member bank shall apply to the Corporation for class A stock of the Corporation in an amount equal to one half of 1 per centum of its total deposit liabilities as computed in accordance with regulations prescribed by the Federal Reserve Board; except that in the case of a member bank organized after the date this bank hereafter organ-section takes effect, the amount of such class A stock applied for by ized. such member bank during the first twelve months after its organization shall equal 5 per centum of its paid-up capital and surplus, and beginning after the expiration of such twelve months' period the amount of such class A stock of such member bank shall be adjusted annually in the same manner as in the case of other member banks. Upon receipt of such application the Corporation shall request the ing sufficiency of apply-Federal Reserve Board, in the case of a State member bank, or the ing bank's assets. Comptroller of the Currency, in the case of a national bank, to certify upon the basis of a thorough examination of such bank whether or not the assets of the applying bank are adequate to enable it to

Receipts for payments.

Dividend payments.

Subscription for.

Payments.

Post, p. 969.

Application for class Amount.

Amount.

Payment if certification affirmative; amount.

ative.

Receiver or conservator; appointment.

Termination of membership, State member bank not subscribing class A on or before July 1, 1934.

Post, p. 180.

Applications for membership on or be-fore July 1, 1936.

Benefits to during pendency

proved, etc.

Deposit by State bank with membership application, when stock purchase unlawful un-der State laws.

Adjustment of de-

Interest payments.

Depositor bank deemed class A stock-

meet all of its liabilities to depositors and other creditors as shown by the books of the bank; and the Federal Reserve Board or the Comptroller of the Currency shall make such certification as soon as practicable. If such certification be in the affirmative, the Corporation shall grant such application and the applying bank shall pay one half of its subscription in full and shall thereupon become a class A stockholder of the Corporation: Provided, That no member bank shall be required to make such payment or become a class A stockholder of the Corporation before July 1, 1934. The remainder of such subscription shall be subject to call from time to time by the Denial of applies. Denial of application neg board of directors of the Corporation. If such certification be in the negative, the Corporation shall deny such application. national bank shall not have become a class A stockholder of the Corporation on or before July 1, 1934, the Comptroller of the Currency shall appoint a receiver or conservator therefor in accordance with the provisions of existing law. Except as provided in subsection (g) of this section, if any State member bank shall not have become a class A stockholder of the Corporation on or before July 1, 1934, the Federal Reserve Board shall terminate its membership in the Federal Reserve System in accordance with the provisions of section 9 of this Act.

"(f) Any State bank or trust company or mutual savings bank which applies for membership in the Federal Reserve System or for conversion into a national banking association on or after July 1, 1936, may, with the consent of the Corporation, obtain the benefits of this section, pending action on such application, by subscribing and paying for the same amount of stock of the Corporation as it would be required to subscribe and pay for upon becoming a member Proviso.
Repayment if member bank: Provided, That if the application of such State bank or trust company or mutual savings bank to the same extent as if it were already a member bank: Provided, That if the application of such State bank or trust company or mutual savings bank for membership a member bank or trust company or mutual savings bank for membership. Federal Reserve System or for conversion into a national banking association be approved and it shall not complete its membership in the Federal Reserve System or its conversion into a national banking association within a reasonable time, or if such application shall be disapproved, then the amount paid by such State bank or trust company or mutual savings bank on account of its subscription to the capital stock of the Corporation shall be repaid to it and it shall no longer be subject to the provisions or entitled to the privileges of this section.

"(g) If any State bank or trust company, or mutual savings bank (referred to in this subsection as 'State bank') which is or which becomes a member of the Federal Reserve System is not permitted by the laws under which it was organized to purchase stock in the Corporation, it shall apply to the Corporation for admission to the benefits of this section and, if such application be granted after appropriate certification in accordance with this section, it shall deposit with the Corporation an amount equal to the amount which it would have been required to pay in on account of a subscription to capital stock of the Corporation. Thereafter such deposit shall be adjusted in the same manner as subscriptions for stock by class A stockholders. Such deposit shall be subject to the same Conditions subject conditions with respect to repayment as amounts paid on subscriptions to class A stock by other member banks and the Corporation shall pay interest thereon at the same rate as dividends are actually paid on outstanding shares of class A stock. As long as such deposit is maintained with the Corporation, such State bank shall,

for the purposes of this section, be deemed to be a class A stockholder of the Corporation. If the laws under which such State bank was posit to subscription, if organized be amended so as to authorize State banks to subscribe subscription hereafter for class A stock of the Corporation, such State bank shall within legalized. for class A stock of the Corporation, such State bank shall within six months thereafter subscribe for an appropriate amount of such class A stock and the deposit hereinafter provided for in lieu of payment upon class A stock shall be applied upon such subscription.

Termination of State law under which such State bank was organized be not bank to rights of memamended at the next session of the State legislature following the admission of such State bank to the benefits of this section so as to When right to scribe not granted. authorize State banks to purchase such class A stock, or, if the law be so amended and such State bank shall fail within six months failure thereafter to purchase such class A stock, the deposit previously made stock. with the Corporation shall be returned to such State bank and it shall no longer be entitled to the benefits of this section, unless it shall have been closed in the meantime on account of inability to

meet the demands of its depositors.

"(h) The amount of the outstanding class A stock of the Corpo- Annual adjustment, amount of class A. ration held by member banks shall be annually adjusted as hereinafter provided as of the last preceding call date as member banks increase their time and demand deposits or as additional banks become members or subscribe to the stock of the Corporation, and such stock may be decreased in amount as member banks reduce their time and demand deposits or cease to be members. Shares of the capital stock of the Corporation owned by member banks shall not be transferred or hypothecated. When a member bank increases tion, upon increase of its time and demand deposits it shall, at the beginning of each deposits. its time and demand deposits it shall, at the beginning of each calendar year, subscribe for an additional amount of capital stock of the Corporation equal to one half of 1 per centum of such increase in deposits. One half of the amount of such additional stock shall be paid for at the time of the subscription therefor, and the balance shall be subject to call by the board of directors of the Corporation. A bank organized on or before the date this section takes tion for class A; memerifect and admitted to membership in the Federal Reserve System at any time after the organization of the Corporation shall be required to subscribe for an amount of class A capital stock equal to one half of 1 per centum of the time and demand deposits of the applicant bank as of the date of such admission, paying therefor its par value plus one half of 1 per centum a month from the period of the last dividend on the class A stock of the Corporation. When a member bank reduces its time and demand deposits it shall surrender of amount of shares, when deposits render on not later than the left day of Japuary they can be a proportionate surrender not later than the left day of Japuary they can be a proportionate surrender of amount of shares, when deposits render, not later than the 1st day of January thereafter, a proportionate amount of its holdings in the capital stock of the Corporation, and when a member bank voluntarily liquidates it shall liquidation. surrender all its holdings of the capital stock of the Corporation and be released from its stock subscription not previously called. Can The shares so surrendered shall be canceled and the member bank shares. shall receive in payment therefor, under regulations to be prescribed by the Corporation, a sum equal to its cash-paid subscriptions of on the shares surrendered and its proportionate share of dividends not to exceed one half of 1 per centum a month, from the period of the last dividend on such stock, less any liability of such member bank to the Corporation.

"(i) If any member or nonmember bank shall be declared insolvent, or shall cease to be a member bank (or in the case of a nonmember bank, shall cease to be entitled to the benefits of insurance under this section), the stock held by it in the Corporation shall be canceled, Liability not im-without impairment of the liability of such bank, and all cash-paid paired. subscriptions on such stock, with its proportionate share of dividends

bership.

When right to sub-

When granted and

Decrease authorized. Transfer, etc., of shares by banks, denied.

Payments.

Payment.

Cancellation of

Repayments; amount

Cancellation of stock.

Member bank, when
insolvent or ceases
membership.

Nonmember bank.

Federal Deposit Insurance Corporation.
Corporate powers.

Distribution of assets. not to exceed one half of 1 per centum per month from the period of last dividend on such stock shall be first applied to all debts of the insolvent bank or the receiver thereof to the Corporation, and the balance, if any, shall be paid to the receiver of the insolvent bank.

"(j) Upon the date of enactment of the Banking Act of 1933, the Corporation shall become a body corporate and as such shall have power-

"First. To adopt and use a corporate seal.

"Second. To have succession until dissolved by an Act of

"Third. To make contracts.

"Fourth. To sue and be sued, complain and defend, in any court

of law or equity, State or Federal.

"Fifth. To appoint by its board of directors such officers and employees as are not otherwise provided for in this section, to define their duties, fix their compensation, require bonds of them and fix the penalty thereof, and to dismiss at pleasure such officers or employees. Nothing in this or any other Act shall be construed to prevent the appointment and compensation as an officer or employee of the Corporation of any officer or employee of the United States in any board, commission, independent establishment, or executive department thereof.

Sixth. To prescribe by its board of directors, bylaws not inconsistent with law, regulating the manner in which its general business may be conducted, and the privileges granted to it by law

may be exercised and enjoyed.
"Seventh. To exercise by its board of directors, or duly authorized officers or agents, all powers specifically granted by the provisions of this section and such incidental powers as shall be necessary to

carry out the powers so granted.

"(k) The board of directors shall administer the affairs of the Corporation fairly and impartially and without discrimination. The of board of directors of the Corporation shall determine and prescribe manner disbursements made; obligations into the manner in which its obligations shall be incurred and its execured.

Franking privilege.

Franking privilege.

Franking privilege. Cooperation of executive departments.

Cooperation of executive departments of the Government. The Corporation with the consent of any Federal reserve bank or of any board, commission, independent establishment, or executive department of the Government, including any field service thereof, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this section.

"(l) Effective on and after July 1, 1934 (thus affording ample Insurance of deposits, "(1) Effective on and arter out, a, and arter out, a, nember banks; effectime for examination and preparation), unless the President shall by President may fix hereinafter provided the deposits of all member banks, and on and hereinafter such date and until July 1, 1936, of all nonmember banks, which are class A stockholders of the Corporation. Notwithstanding any other provision of law, whenever any national bank which is a class A stockholder of the Corporation shall have been such as the corporation shall have been stant by hereinafter provided the deposits of all member banks, and on and after such date and until July 1, 1936, of all nonmember banks, which are class A stockholders of the Corporation shall have been such as the corporation shall insure as a stockholder of all member banks, and on and the corporation as a stockholder of the Corporation shall insure as a stockholder of the Corporation. closed by action of its board of directors or by the Comptroller of the Currency, as the case may be, on account of inability to meet the demands of its depositors, the Comptroller of the Currency shall Organization of new appoint the Corporation receiver for such bank. As soon as possinational bank. ble thereafter the Corporation shall organize a new national bank to assume the insured deposit liabilities of such closed bank, to receive new deposits and otherwise to perform temporarily the func-

Board of directors; administration of cor-porate affairs.

Determination

member banks; ef tive July 1, 1934. Post, pp. 969, 970. President may

tions provided for it in this paragraph. For the purposes of this "Insured deposit li-ability", construed. subsection, the term 'insured deposit liability' shall mean with respect to the owner of any claim arising out of a deposit liability of such closed bank the following percentages of the net amount due to such owner by such closed bank on account of deposit liabilities: 100 per centum of such net amount not exceeding \$10,000; and 75 per centum of the amount, if any, by which such net amount exceeds \$10,000 but does not exceed \$50,000; and 50 per centum of the amount, if any, by which such net amount exceeds \$50,000: Provided, That, in determining the amount due to such owner for Determination of the purpose of fixing such percentage, there shall be added together amounts for fixing perall net amounts due to such owner in the same capacity or the same right, on account of deposits, regardless of whether such deposits be maintained in his name or in the names of others for his benefit. For the purposes of this subsection, the term 'insured deposit liabilities' shall mean the aggregate amount of all such insured deposit liabilities of such closed bank. The Corporation shall determine as amounts due deposiexpeditiously as possible the net amounts due to depositors of the tors. closed bank and shall make available to the new bank an amount Amounts made available. equal to the insured deposit liabilities of such closed bank, whereupon such new bank shall assume the insured deposit liability of such closed bank to each of its depositors, and the Corporation shall be gated to rights against subrogated to all rights against the closed bank of the owners of closed bank. Entitlement to divisuch deposits and shall be entitled to receive the same dividends from dends. the proceeds of the assets of such closed bank as would have been payable to each such depositor until such dividends shall equal the insured deposit liability to such depositor assumed by the new bank, whereupon all further dividends shall be payable to such depositor. Payments to be made Of the amount thus made available by the Corporation to the new bank, such portion shall be paid to it in cash as may be necessary to enable it to meet immediate cash demands and the remainder shall be credited to it on the books of the Corporation subject to withdrawal on demand and shall bear interest at the rate of 3 per centum per annum until withdrawn. The new bank may, with the deposits.

Acceptance of new approval of the Corporation, accept new deposits, which, together with all amounts made available to the new bank by the Corporation, investments authorshall be kept on hand in each invested in the corporation. shall be kept on hand in cash, invested in direct obligations of the United States, or deposited with the Corporation or with a Federal reserve bank. Such new bank shall maintain on deposit with the serve with reserve Federal reserve bank of its district the reserves required by law of bank. Federal reserve bank of its district the reserves required by law of member banks but shall not be required to subscribe for stock of the Federal reserve bank until its own capital stock has been subscribed and paid for in the manner hereinafter provided. The articles of association and organization certificate of such new bank may be executed by such representatives of the Corporation as it may designate; the new bank shall not be required to have any directors at bank. the time of its organization, but shall be managed by an executive officer to be designated by the Corporation; and no capital stock need be paid in by the Corporation; but in other respects such bank shall be organized in accordance with the existing provisions of law relating to the organization of national banks; and, until the requisite ness. amount of capital stock for such bank has been subscribed and paid for in the manner hereinafter provided, such bank shall transact no business except that authorized by this subsection and such business as may be incidental to its organization. When in the judg- of new bank. ment of the Corporation it is desirable to do so, the Corporation shall offer capital stock of the new bank for sale on such terms and conditions as the Corporation shall deem advisable, in an amount sufficient in the opinion of the Corporation to make possible the conduct

Percentages.

centages.

"Insured deposit li-abilities," construed.

Determination

Credits. Interest rate.

Subscription for stock not required.

Articles of association and organization.

Capital stock pay-ments by corporation.

Transaction of busi-

Amount.

Preemption right of

Certificate to commence business; when to issue.

Management thereafter

Transfer of business, when stock subscription inadequate.

Voluntary liquidation of new bank when not transferred.

Deposit insurance ac-

to open.

Debits to.

Closed State member banks.

Corporation as re-

R.S., Sec. 5138, p. 993. of the business of the new bank on a sound basis, but in no event less U.S.C., p. 261. than that required by section 5138 of the Revised Statutes, as amended U.S.C., title 12, sec. 51), for the organization of a national bank in the place where such new bank is located, giving the stockholders of the closed bank the first opportunity to purchase such stock. Upon proof that an adequate amount of capital stock of the new bank has been subscribed and paid for in cash by subscribers satisfactory to the Comptroller of the Currency, he shall issue to such bank a certificate of authority to commence business and thereafter it shall be managed by directors elected by its own shareholders and may exercise all of the powers granted by law to national banking associations. If an adequate amount of capital for such new bank is not subscribed and paid in, the Corporation may offer to transfer its business to any other banking institution in the same place which will take over its assets, assume its liabilities, and pay to the Corporation for such business such amount as the Corporation may deem adequate. Unless the capital stock of the new bank is sold or its assets acquired and its liabilities assumed by another banking institution, in the manner herein prescribed, within two years from the date of its organization, the Corporation shall place the new bank in voluntary liquidation and wind up its affairs. The Corporation shall open on its books a deposit insurance account and, as soon as possible after taking posestimate of the amount which will be available from all sources for application in satisfaction of the portion of the claims of depositors to which it has been subrogated and shall debit to such deposit insurance account the excess, if any, of the amount made available by the Corporation to the new bank for depositors over and above the amount of such estimate. It shall be the duty of the Corporation to realize upon the assets of such closed bank, having due regard to the condition of credit in the district in which such closed bank is located; to enforce the individual liability of the stockholders and directors thereof; and to wind up the affairs of such closed bank in conformity with the provisions of law relating to the liquidation of closed national banks, except as herein otherwise provided, retaining for its own account such portion of the amount realized from such liquidation as it shall be entitled to receive on account of its subrogation to the claims of depositors and paying to depositors and other creditors the amount available for distribution to them, after deducting therefrom their share of the costs of the liquidation of the closed bank. If the total amount realized by the Corporation on account of its subrogation to the claims of depositors be less than the amount of the estimate hereinabove provided for, the deposit insurance account shall be charged with the deficiency and, if the total amount so realized shall exceed the amount of such esti-Powers and rights of mate, such account shall be credited with such excess. With respect to such closed national banks, the Corporation shall have all the rights, powers, and privileges now possessed by or hereafter given receivers of insolvent national banks and shall be subject to the obligations and penalties not inconsistent with the provisions of this paragraph to which such receivers are now or may hereafter become

subject.

"Whenever any State member bank which is a class A stockholder
"Whenever any State member bank which is a class A stockholder
have been closed by action of its board of directors or by the appropriate State authority, as the case may be, on account of inability to meet the demands of its depositors, the Corporation shall accept appointment as receiver thereof, if such appointment be tendered by the appropriate State authority and be

authorized or permitted by State law. Thereupon the Corporation of new bank. shall organize a new national bank, in accordance with the provisions of this subsection, to assume the insured deposit liabilities of such closed State member bank, to receive new deposits and otherwise to perform temporarily the functions provided for in this subsection. Upon satisfactory recognition of the right of the Corporation to Upon satisfactory recognition of the right of the Corporation to Funds to cover in receive dividends on the same basis as in the case of a closed national made available by Corbank under this subsection, such recognition being accorded by State poration when right to provide the poration when right to the possible provided by State pr law, by allowance of claims by the appropriate State authority, by assignment of claims by depositors, or by any other effective method, the Corporation shall make available to such new national bank, in the manner prescribed by this subsection, an amount equal to the insured deposit liabilities of such closed State member bank; and the bank. Management of new Corporation and such new national bank shall perform all of the functions and duties and shall have all the rights and privileges with respect to such State member bank and the depositors thereof which are prescribed by this subsection with respect to closed national banks nothing class A stock in the Corporation: Provided, That the rights Determination of depositors and other creditors of such State member bank shall be rights of depositors, etc. determined in accordance with the conditions of the condition of the condition of the conditions of the determined in accordance with the applicable provisions of State law: And provided further, That, with respect to such State member Powers, etc., of Corpobank, the Corporation shall possess the powers and privileges provided by State law with respect to a receiver of such State member bank, except in so far as the same are in conflict with the provisions of this subsection.

"Whenever any State member bank which is a class A stockholder of the Corporation shall have been closed by action of its board of bank, when appointment of Corporation as directors or by the appropriate State authority, as the case may be, receiver unlawful. on account of inability to meet the demands of its depositors, and the applicable State law does not permit the appointment of the Corporation as receiver of such bank, the Corporation shall organize a new national bank, in accordance with the provisions of this subsection, to assume the insured deposit liabilities of such closed State member bank, to receive new deposits, and otherwise to perform temporarily the functions provided for in this subsection. Upon satisfactory recognition of the right of the Corporation to receive divifactory recognition of the right of the Corporation to receive dividends recognized.

Funds to be made available when right of dends on the same basis as in the case of a closed national bank under dividends recognized. this subsection, such recognition being accorded by the Corporation of the made available when right of the corporation to receive dividends recognized. this subsection, such recognition being accorded by State law, by allowance of claims by the appropriate State authority, by assignment of claims by depositors, or by any other effective method, the Corporation shall make available to such new bank, in accordance with the provisions of this subsection, the amount of insured deposit new bank shall assume such insured deposit liabilities and shall in sureddepositliabilities, other respects comply with the provision of the sureddepositliabilities. liabilities as to which such recognition has been accorded; and such other respects comply with the provisions of this subsection respecting new banks organized to assume insured deposit liabilities of closed national banks. In so far as possible in view of the applicable provisions of State law, the Corporation shall proceed with respect to the receiver of such closed bank and with respect to the new bank organized to assume its insured deposit liabilities in the manner prescribed by this subsection with respect to closed national banks and new banks organized to assume their insured deposit liabilities; except that the Corporation shall have none of the powers, duties, or responsibilities of a receiver with respect to the winding up of the affairs of such closed State member bank. The Corporation, in its discretion, however, may purchase and liquidate any or all of the assets of such bank.

Purpose.

Organization of new

Functions.

Levy on class A stockholders.

Credit to insurance

Dividend payment by bank denied until assessment paid.

Penalty provision.

"Receiver", construed

"National bank."

"State member bank."

Amounts of deposits, payable in foreign country excluded in determining total deposit liabilities.

Rules, etc., by Corporation.

Deposit or investment of money by Corpora-

Designation of Corporation as public moneys depositary.

Authority of Corporation to make loans to national banks, etc.

Sale of assets of insolvent banks to Corporation. Permission required. "Whenever the net debit balance of the deposit insurance account of the Corporation shall equal or exceed one fourth of 1 per centum of the total deposit liabilities of all class A stockholders as of the date of the last preceding call report, the Corporation shall levy upon such stockholders an assessment equal to one fourth of 1 per centum of their total deposit liabilities and shall credit the amount collected from such assessment to such deposit insurance account. No bank which is a holder of class A stock shall pay any dividends until all assessments levied upon it by the Corporation shall have been paid in full; and any director or officer of any such bank who participates in the declaration or payment of any such dividend may, upon conviction, be fined not more than \$1,000, or imprisoned for not more than one year, or both.

"The term 'receiver' as used in this section shall mean a receiver,

"The term 'receiver' as used in this section shall mean a receiver, liquidating agent, or conservator of a national bank, and a receiver, liquidating agent, conservator, commission, person, or other agency charged by State law with the responsibility and the duty of winding that the effects of an incolvent State member bank.

up the affairs of an insolvent State member bank.

"For the purposes of this section only, the term 'national bank' shall include all national banking associations and all banks, banking associations, trust companies, savings banks, and other banking institutions located in the District of Columbia which are members of the Federal Reserve System; and the term 'State member bank' shall include all State banks, banking associations, trust companies, savings banks, and other banking institutions organized under the laws of any State, which are members of the Federal Reserve System.

"In any determination of the insured deposit liabilities of any closed bank or of the total deposit liabilities of any bank which is a holder of class A stock of the Corporation, or a member of the Fund provided for in subsection (y), for the purposes of this section, there shall be excluded the amounts of all deposits of such bank which are payable only at an office thereof located in a foreign country.

"The Corporation may make such rules, regulations, and contracts as it may deem necessary in order to carry out the provisions of this section

"Money of the Corporation not otherwise employed shall be invested in securities of the Government of the United States, except that for temporary periods, in the discretion of the board of directors, funds of the Corporation may be deposited in any Federal reserve bank or with the Treasurer of the United States. When designated for that purpose by the Secretary of the Treasury, the Corporation shall be a depositary of public moneys, except receipts from customs, under such regulations as may be prescribed by the said Secretary, and may also be employed as a financial agent of the Government. It shall perform all such reasonable duties as depositary of public moneys and financial agent of the Government as may be required of it.

"(m) Nothing herein contained shall be construed to prevent the Corporation from making loans to national banks closed by action of the Comptroller of the Currency, or by vote of their directors, or to State member banks closed by action of the appropriate State authorities, or by vote of their directors, or from entering into negotiations to secure the reopening of such banks.

"(n) Receivers or liquidators of member banks which are now or may hereafter become insolvent or suspended shall be entitled to offer the assets of such banks for sale to the Corporation or as security for loans from the Corporation, upon receiving permission from the appropriate State authority in accordance with express pro-

visions of State law in the case of State member banks, or from the Comptroller of the Currency in the case of national banks. The proceeds of every such sale or loan shall be utilized for the same ceeds purposes and in the same manner as other funds realized from the purposes and in the same manner as other runds realized from the Payment of divi-liquidation of the assets of such banks. The Comptroller of the dends on proved Currency may, in his discretion, pay dividends on proved claims at claims.

any time after the expiration of the period of advertisement made 1012.

pursuant to section 5235 of the Revised Statutes (U.S.C., title 12, U.S.C., p 272. sec. 193), and no liability shall attach to the Comptroller of the Currency or to the receiver of any national bank by reason of any such payment for failure to pay dividends to a claimant whose claim

is not proved at the time of any such payment.

"(o) The Corporation is authorized and empowered to issue and Amount of outstandto have outstanding at any one time in an amount aggregating not tions.

Redeemable before more than three times the amount of its capital, its notes, debentures, maturity optional bonds, or other such obligations, to be redeemable at the option of the Corporation before maturity in such manner as may be stipulated in such obligations, and to bear such rate or rates of interest, and to mature at such time or times as may be determined by the Corporation: *Provided*, That the Corporation may sell on a discount basis short-term obligations payable at maturity without interest.

Proviso. Sale of short-term obligations at discount. The notes, debentures, bonds, and other such obligations. poration may be secured by assets of the Corporation in such manner as shall be prescribed by its board of directors. Such obligations may be offered for sale at such price or prices as the Corporation may determine.

determine.

(p) All notes, debentures, bonds, or other such obligations issued tions, tax exemption.

(c) All notes, debentures, bonds, or other such obligations issued tions, tax exemption. Exception, State and by the Corporation shall be exempt, both as to principal and interest, Exception Stationary inheritance taxes. from all taxation (except estate and inheritance taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, including its franchise, its capital, reserves, and surplus, and its income, shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to State, Territorial, county, municipal or local taxation to the same extent according to its value

as other real property is taxed.

"(q) In order that the Corporation may be supplied with such debenture, etc., forms. forms of notes, debentures, bonds, or other such obligations as it may need for issuance under this Act, the Secretary of the Treasury is authorized to prepare such forms as shall be suitable and approved by the Corporation, to be held in the Treasury subject to delivery, upon Custody of plates, order of the Corporation. The engraved plates, dies, bed pieces, and other material executed in connection therewith shall remain in the expenses. custody of the Secretary of the Treasury. The Corporation shall reimburse the Secretary of the Treasury for any expenses incurred in the preparation, custody, and delivery of such notes, debentures, bonds, or other such obligations.

"(r) The Corporation shall annually make a report of its opera- Corporation." of tions to the Congress as soon as practicable after the 1st day of

January in each year.
"(s) Whoever, for the purpose of obtaining any loan from the Corporation, or any extension or renewal thereof, or the acceptance, release, or substitution of security therefor, or for the purpose of inducing the Corporation to purchase any assets, or for the purpose of influencing in any way the action of the Corporation under this sec-

Utilization of pro-

Reimbursement for

Penalty provisions. False statement

Counterfeit of corporate obligation, etc.

Willfull overvaluation, makes any statement, knowing it to be false, or willfully overvalues any security, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both.

"(t) Whoever (1) falsely makes, forges, or counterfeits any obligation or coupon, in imitation of or purporting to be an obligation or coupon issued by the Corporation, or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited obligation or coupon purporting to have been issued by the Corporation, knowing the same to be false, forged, or counterfeited, or (3) falsely alters any obligation or coupon issued or purporting to have been issued by the Corporation, or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true, any falsely altered or spurious obligation or coupon, issued or purporting to have been issued by the Corporation, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than five years, or both.

Embezzlement, etc.

"(u) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged, or otherwise intrusted to it, or (2) with the defract the Corporation or any other body, politic or intent to defraud the Corporation or any other body, politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of or to the Corporation, or without being duly authorized draws any order or issues, puts forth, or assigns any note, debenture, bond, or other such obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than \$10,000, or by imprisonment for not

more than five years, or both.

"(v) No individual, association, partnership, or corporation shall use the words 'Federal Deposit Insurance Corporation', or a combination or any three of these four words, as the name or a part thereof under which he or it shall do business. No individual, association, partnership, or corporation shall advertise or otherwise represent falsely by any device whatsoever that his or its deposit liabilities are insured or in anywise guaranteed by the Federal Deposit Insurance Corporation, or by the Government of the United States, or by any instrumentality thereof; and no class A stock-holder of the Federal Deposit Insurance Corporation shall advertise or otherwise represent falsely by any device whatsoever the extent to which or the manner in which its deposit liabilities are Penalty for violation insured by the Federal Deposit Insurance Corporation. Every individual, partnership, association, or corporation violating this subsection shall be punished by a fine of not exceeding \$1,000, or

by imprisonment not exceeding one year, or both.

"(w) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U.S.C., title 18, ch. 5, Criminal Code of United States. (W) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U.S.C., title 18, ch. 5, Applicable to corporate contracts and agreements. apply to contracts or agreements with the Corporation under this section, which for the purposes hereof shall be held to include loans, advances, extensions, and renewals thereof, and acceptances, releases, and substitutions of security therefor, purchases or sales of assets,

and all contracts and agreements pertaining to the same.

"(x) The Secret Service Division of the Treasury Department is authorized to detect, arrest, and deliver into the custody of the United States marshal having jurisdiction any person committing any of the offenses punishable under this section.

Term "Federal Deposit Insurance Corporation." ration."
Exclusive use.
False advertising.
Post, p. 970.

Secret Service Divi-ion, Treasury Departsion, Treasury Deparement.

Detection, etc,
persons violating.

"(y) The Corporation shall open on its books a Temporary Federal Deposit Insurance Fund (hereinafter referred to as the 'Fund'), To be opened on which shall become operative on January 1, 1934, unless the Presibooks of Corporation, dent shall by proclamation fix an earlier date, and it shall be the opened on operative January 1, duty of the Corporation to insure deposits as hereinafter provided Post, p. 969.

until July 1, 1934.

"Each member bank licensed before January 1, 1934, by the Secre- Membership of tary of the Treasury pursuant to the authority vested in him by the Executive order of the President issued March 10, 1933, shall, on or before January 1, 1934, become a member of the Fund; each member bank so licensed after such date, and each State bank trust company or mutual savings bank (referred to in this subsection as 'State bank', which term shall also include all banking institutions located in the District of Columbia) which becomes a member of the Federal Reserve System on or after such date, shall, upon being so licensed or so admitted to membership, become a member of the Fund; and members of rany State bank which is not a member of the Federal Reserve system. System, with the approval of the authority having supervision of such State bank and certification to the Corporation by such authority that such State bank is in solvent condition, shall, after examination by, and with the approval of, the Corporation, be entitled to become a member of the Fund and to the privileges of this subsection upon agreeing to comply with the requirements thereof and upon paying to the Corporation an amount equal to the amount that would be required of it under this subsection if it were a member bank. The Corporation is authorized to prescribe rules and reguerate, to be prescribed lations for the further examination of such State bank, and to fix the compensation of examiners employed to make examinations of

State banks.

"Each member of the Fund shall file with the Corporation on or Certified statement by Fund members." before the date of its admission a certified statement under oath showing, as of the fifteenth day of the month preceding the month in which it was so admitted, the number of its depositors and the total amount of its deposits which are eligible for insurance under this subsection, and shall pay to the Corporation an amount equal to one-half of 1 per centum of the total amount of the deposits so certified. One-half of such payment shall be paid in full at the time of the admission of such member to the Fund, and the remainder of such payment shall be subject to call from time to time by the board of directors of the Corporation. Within a reasonable time of fixed by the Corporation each such member shall file a similar quired. statement showing, as of June 15, 1934, the number of its statement showing as of the latement showi statement showing, as of June 15, 1934, the number of its depositors and the total amount of its deposits which are eligible for such insurance and shall pay to the Corporation in the same manner an amount equal to one-half of 1 per centum of the increase, if any, in the total amount of such deposits since the date covered by the statement filed upon its admission to membership in the fund.

"If at any time prior to July 1, 1934, the Corporation requires additional funds with which to meet its obligations under this ment subsection, each member of the Fund shall be subject to one additional assessment only in an amount not exceeding the total amount

theretofore paid to the Corporation by such member.

"If any member of the Fund shall be closed on or before June 30, Payment of insured 1934, on account of inability to meet its deposit liabilities, the Corporation shall proceed in accordance with the provisions of subsection before June 30, 1934 Ante, p. 172 (1) of this section to pay the insured deposit liabilities of such memon account of the net approved claim of the owner of any deposit. Positor.

Executive Order number 6073.

Post, p. 971.

Contents.

Payments to Corporation.

Manner of making.

Additional authorized. Post, p. 969.

Amount.

Post, p. 969.

Application of sub-section (l).

Post, p. 969.

The provisions of such subsection (l) relating to State member banks shall be extended for the purposes of this subsection. the Fund which are not members of the Federal Reserve System; and the provisions of this subsection shall apply only to deposits of members of the Fund which have been made available since March 10, 1933, for withdrawal in the usual course of the banking

Balance of Fund, July 1, 1934. Post, p. 970.

"Before July 1, 1934, the Corporation shall make an estimate of the balance, if any, which will remain in the Fund after providing for all liabilities of the Fund, including expenses of operation thereof under this subsection and allowing for anticipated recoveries. The Corporation shall refund such estimated balance, on such basis as the Corporation shall find to be equitable, to the members of the Fund other than those which have been closed prior to July 1, 1934.

Refunds to mem-

"Each State bank which is a member of the Fund, in order to obtain the benefits of this section after July 1, 1934, shall, on or before such date, subscribe and pay for the same amount of class A stock of the Corporation as it would be required to subscribe and pay for upon becoming a member bank, or if such State bank is not permitted by the laws under which it was organized to purchase such stock, it shall deposit with the Corporation an amount equal to the amount it would have been required to pay in on account of a subscription to such stock; and thereafter such State bank shall

Subscription for class A stock, State bank member of Fund.

be entitled to such benefits until July 1, 1936.

Deposit, if subscription unlawful.

"It is not the purpose of this section to discriminate, in any manner, against State nonmember, and in favor of, national or member banks; but the purpose is to provide all banks with the same opportunity to obtain and enjoy the benefits of this section. bank shall be discriminated against because its capital stock is less than the amount required for eligibility for admission into the

Purpose of section.

Vol. 39, p. 753, Vol. 47, p. 160.
U.S.C., p. 282, Supp. VI, p. 186.
Post, pp. 348, 646.
Vol. 39, p. 753, Vol. 47, SEC. 9. The eighth paragraph of section 13 of the Federal Reserve (U.S.C., title 12, sec. 347; Supp. VI, title 12, sec. 347), is amended to read as follows:

Advances to member banks on their notes.

"Any Federal reserve bank may make advances for periods not exceeding fifteen days to its member banks on their promissory notes secured by the deposit or pledge of bonds, notes, certificates of indebtedness, or Treasury bills of the United States, or by the deposit or pledge of debentures or other such obligations of Federal intermediate credit banks which are eligible for purchase by Federal reserve banks under section 13 (a) of this Act; and any Federal reserve bank may make advances for periods not exceeding ninety days to its member banks on their promissory notes secured by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal reserve banks under the provisions of this Act. All such advances shall be made at rates to be established by such Federal reserve banks, such rates to be subject to the review and determination of the Federal Reserve Board. If any member bank to which any such advance has been made shall, during the life or continuance of such advance, and despite an official warning of the reserve bank of the district or of the Federal Reserve Board to the contrary, increase its outstanding loans secured by collateral in the form of stocks, bonds, debentures, or other such obligations, or loans made to members of any organized stock exchange, investment house, or dealer in securities, upon any obligation, note, or bill, secured or unsecured, for the purpose of purchasing and/or carrying stocks, bonds, or other investment securities (except obligations of the United States) such advance shall be deemed immediately due and payable, and such member

Debentures of Federal intermediate credit banks.

Vol. 42, p. 1479. U.S.C., p. 282.

Rates of advances. Determined by Reserve Board.

Advances deemed immediately payable, when outstanding loans increased for stock, etc., purchases.

bank shall be ineligible as a borrower at the reserve bank of the er district under the provisions of this paragraph for such period as the retailed the Federal Reserve Board shall determine: Provided, That no Provision Tempor temporary carrying or clearance loans made solely for the purpose or clearance loans. of facilitating the purchase or delivery of securities offered for public subscription shall be included in the loans referred to in this paragraph."

SEC. 10. Section 14 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 353-358), is amended by adding at the end thereof the

following new paragraph:

"(g) The Federal Reserve Board shall exercise special supervision Supervision by over all relationships and transactions of any kind entered into by actions of reserve bank. any Federal reserve bank with any foreign bank or banker, or with any group of foreign banks or bankers, and all such relationships and transactions shall be subject to such regulations, conditions, and limitations as the Board may prescribe. No officer or other represenlimitations as the Board may prescribe. No officer or other representative of any Federal reserve bank shall conduct negotiations of duct foreign negotiations. any kind with the officers or representatives of any foreign bank or banker without first obtaining the permission of the Federal Reserve Board. The Federal Reserve Board shall have the right, in Right of Board to representation during its discretion, to be represented in any conference or negotiations by conferences such representative or representatives as the Board may designate. A full report of all conferences or negotiations, and all understandings or agreements arrived at or transactions agreed upon, and all other material facts appertaining to such conferences or negotiations, shall be filed with the Federal Reserve Board in writing by a duly authorized officer of each Federal reserve bank which shall have participated in such conferences or negotiations."

(U.S.C., title 12, secs. 142, 374, 461-466; Supp. VI, title 12, sec. 462a), 287; Supp. VI, p. 138. is amended by inserting after the sixth paragraph there is a second of the sixth paragraph. is amended by inserting after the sixth paragraph thereof the follow-

ing new paragraph:

"No member bank shall act as the medium or agent of any nonagent in making loans
banking corporation, partnership, association, business trust, or indito stock brokers prohibited. vidual in making loans on the security of stocks, bonds, and other investment securities to brokers or dealers in stocks, bonds, and other investment securities. Every violation of this provision by any member bank shall be punishable by a fine of not more than \$100 per day during the continuance of such violation; and such fine may be collected, by suit or otherwise, by the Federal reserve bank of the district in which such member bank is located."

(b) Such section 19 of the Federal Reserve Act, as amended, is further amended by adding at the end thereof the following new

"No member bank shall, directly or indirectly by any device whatsoever, pay any interest on any deposit which is payable on demand: hibited. Provided, That nothing herein contained shall be construed as prohibiting the payment of interest in accordance with the terms of any certificate of deposit or other contract heretofore entered into in good faith which is in force on the date of the enactment of this paragraph; but no such certificate of deposit or other contract shall be renewed or extended unless it shall be modified to conform to this paragraph, and every member bank shall take such action as may be necessary to conform to this paragraph as soon as possible consistently with its contractual obligations: *Provided*, *however*, That this paragraph shall not apply to any deposit of such bank which is country.

Application to deposit payable in foreign payable only at an office thereof located in a foreign country, and shall not apply to any deposit made by a mutual savings bank, nor to any deposit of public funds made by or on behalf of any State,

Ineligible as borrow-er at reserve bank

Regulations.

Report to be filed.

Penalty provision.

Vol. 38, p. 270.

Interest payments on demand deposits pro-

Provisos. Prior contracts.

Public funds.

Regulation of interest rate, time deposits.

Payment before ma-turity prohibited.

Postal savings de-positories.

Vol. 36, p. 816. U.S.C., p. 1281.

On demand

ber banks.

Vol. 36, p. 816; Vol. 39, p. 159. U.S.C., p. 1281. U.S.C., p. 1281. Deposit of funds in banks.

Security, when deposits insured.

Ante, p. 168.

Loans to executive officer prohibited.

Proviso.

Renewal of loans made prior hereto

Report by officer, when indebted to other member bank.

Penalty provision.

county, school district, or other subdivision or municipality, with

respect to which payment of interest is required under State law.

"The Federal Reserve Board shall from time to time limit by regulation the rate of interest which may be paid by member banks on time deposits, and may prescribe different rates for such payment on time and savings deposits having different maturities or subject to different conditions respecting withdrawal or repayment or subject to different conditions by reason of different locations. No member bank shall pay any time deposit before its maturity, or waive any requirement of notice before payment of any savings deposit except as to all savings deposits having the same requirement."

(c) Section 8 of the Act entitled "An Act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes", approved June 25, 1910, as amended (U.S.C., title 39, withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 inserting in lieu thereof the following: "Any depositor may withdrawals on 60 draw the whole or any part of the funds deposited to his or her credit with the accrued interest only on notice given sixty days in advance and under such regulations as the Postmaster General may prescribe; but withdrawal of any part of such funds may be made upon demand, but no interest shall be paid on any funds so withdrawn except interest accrued to the date of enactment of the Banking Act of 1933: Provided, That Postal Savings depositories Proviso.
Deposits with mem. may deposit funds in member banks on time under regulations to be

prescribed by the Postmaster General." (d) The second sentence of section 9 of the Act entitled "An Act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes", approved June 25, 1910, as amended (U.S.C., title 39, sec. 759), is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "Provided, That no such security shall be required in case of such part of the deposits as are insured under section 12B of the Federal Reserve Act,

as amended."

SEC. 12. Section 22 of the Federal Reserve Act, as amended (U.S.C., Vol. 38, p. 272. U.S.C., pp. 284, 288, 291-292; Supp. VI, p. title 12, secs. 375, 376, 503, 593-595; Supp. VI, title 12, sec. 593), is further amended by adding at the end thereof the following new paragraph:

"(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: *Provided*, That loans heretofore made to any such officer may be renewed or extended not more than two years from the date this paragraph takes effect, if in accord with sound banking practice. If any executive officer of any member bank borrow from or if he be or become indebted to any bank other than a member bank of which he is an executive officer, he shall make a written report to the chairman of the board of directors of the member bank of which he is an executive officer, stating the date and amount of such loan or indebtedness, the security therefor, and the purpose for which the proceeds have been or are to be used. Any executive officer of any member bank violating the provisions of this paragraph shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year, or fined not more than \$5,000, or both; and any member bank violating the provisions of this paragraph shall be

fined not more than \$10,000, and may be fined a further sum equal to the amount so loaned or credit so extended.'

SEC. 13. The Federal Reserve Act, as amended, is amended by U.S.C., pp. 263, 283; inserting between sections 23 and 24 thereof (U.S.C., title 12, secs. supp. VI, p. 137.

64 and 371; Supp. VI, title 12, sec. 371) the following new section:

"Sec. 23A. No member bank shall (1) make any loan or any extension of credit to, or purchase securities under repurchase agree
etc., probibited by member banks to affiliate any loan or any loan or any etc., probibited by member banks to affiliate any loan or any loan

ment from, any of its affiliates, or (2) invest any of its funds in the ates. capital stock, bonds, debentures, or other such obligations of any such affiliate, or (3) accept the capital stock, bonds, debentures, or other such obligations of any such affiliate as collateral security for advances made to any person, partnership, association, or corporation, if, in the case of any such affiliate, the aggregate amount of such loans, extensions of credit, repurchase agreements, investments, and advances against such collateral security will exceed 10 per centum of the capital stock and surplus of such member bank, or if, in the case of all such affiliates, the aggregate amount of such loans, extensions of credits, repurchase agreements, investments, and advances against such collateral security will exceed 20 per centum

of the capital stock and surplus of such member bank.

"Within the foregoing limitations, each loan or extension of credit of any kind or character to an affiliate shall be secured by collateral in the form of stocks, bonds, debentures, or other such obligations having a market value at the time of making the loan or extension of credit of at least 20 per centum more than the amount of the loan or extension of credit, or of at least 10 per centum more than the amount of the loan or extension of credit if it is secured by obligations of any State, or of any political subdivision or agency thereof: *Provided*, That the provisions of this paragraph shall not apply to loans or extensions of credit secured by obligations of the tions, etc. United States Government, the Federal intermediate credit banks. the Federal land banks, the Federal Home Loan Banks, or the Home Owners' Loan Corporation, or by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal reserve banks. A loan or extension of credit to a Loans to officers of director officer, clerk, or other employee or any representative of any such affiliate shall be deemed a loan to the affiliate to the extent that the proceeds of such loan are used for the benefit of, or transferred to, the affiliate.

"For the purposes of this section the term 'affiliate' shall include holding company affiliates as well as other affiliates, and the provisions of this section shall not apply to any affiliate (1) engaged solely in holding the bank premises of the member bank with which it is affiliated, (2) engaged solely in conducting a safe-deposit business or the business of an agricultural credit corporation or livestock loan company, (3) in the capital stock of which a national banking association is authorized to invest pursuant to section 25 of the Federal Reserve Act, as amended, (4) organized under section 25 (a) of the Federal Reserve Act, as amended, or (5) engaged solely in holding obligations of the United States Government, the Federal intermediate credit banks, the Federal land banks, the Federal Home Loan Banks, or the Home Owners' Loan Corporation; but as to any such affiliate, member banks shall continue to be subject to other provisions of law applicable to loans by such banks and investments by such banks in stocks, bonds, debentures, or other such

obligations."

SEC. 14. The Federal Reserve Act, as amended, is amended by U.S.C., pp. 273. U.S.C., pp. 283, 292; inserting between section 24 and section 25 thereof (U.S.C., title 12, Supp. VI. p. 137.

Percentage permit-ted.

Security.

Proviso. United States obliga-

"Affiliate", construed.

Affiliates not cluded.

Vol. 38, p. 273. U.S.C., p. 292.

secs. 371 and 601-605; Supp. VI, title 12, sec. 371) the following new section:

Investments prohibited to national and State member banks.

"SEC. 24A. Hereafter no national bank, without the approval of the Comptroller of the Currency, and no State member bank, without the approval of the Federal Reserve Board, shall (1) invest in bank premises, or in the stock, bonds, debentures, or other such obligations of any corporation holding the premises of such bank or (2) make loans to or upon the security of the stock of any such corporation, if the aggregate of all such investments and loans will exceed the amount of the capital stock of such bank."

Vol. 41, p. 1145. U.S.C., p. 293-296.

SEC. 15. The Federal Reserve Act, as amended, is further amended by inserting after section 25 (a) thereof (U.S.C., title 12, sec. 611-631) the following new section:

Foreign branches. Suits at law, equity.

"SEC. 25. (b) Notwithstanding any other provision of law all suits of a civil nature at common law or in equity to which any corporation organized under the laws of the United States shall be a party, arising out of transactions involving international or foreign banking, or banking in a dependency or insular possession of the United States, or out of other international or foreign financial operations, either directly or through the agency, ownership, or control of branches or local institutions in dependencies or insular possessions of the United States or in foreign countries, shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such suits; and any defendant in any such suit may, at any time before the trial thereof, remove such suits from a State court into the district court of the United States for the proper district by following the procedure for the removal of causes otherwise provided by law. Such removal shall not cause undue delay in the trial of such case and a case so removed shall have a place on the calendar of the United States court to which it is removed relative to that which it held on the State court from which it was removed.

Jurisdiction of United States district courts.

Removal.

"Notwithstanding any other provision of law, all suits of a civil nature at common law or in equity to which any Federal Reserve bank shall be a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such suits; and any Federal Reserve bank which is a defendant in any such suit may, at any time before the trial thereof, remove such suit from a State court into the district court of the United States for the proper district by following the Attachment before procedure for the removal of causes otherwise provided by law. attachment or execution shall be issued against any Federal Reserve bank or its property before final judgment in any suit, action, or

When Federal Reserve bank a party.

proceeding in any State, county, municipal, or United States court."
SEC. 16. Paragraph "Seventh" of section 5136 of the Revised Statutes, as amended (U.S.C., title 12, sec. 24; Supp. VI, title 12, sec.

R.S., sec. 5136, p. 993. U.S.C., p. 259; Supp. VI, p. 129.

Corporate powers of national banking associations.

24), is amended to read as follows:
"Seventh. To exercise by its board of directors or duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business of banking; by discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt; by receiving deposits; by buying and selling exchange, coin, and bullion; by loaning money on personal security; and by obtaining, issuing, and circulating notes according to the provisions of this title. The business of dealing in investment securities by the association shall be limited to purchasing and selling such securities without recourse, solely upon the order, and for the account of, customers, and in no case for its own account, and the association

shall not underwrite any issue of securities: Provided, That the association may purchase for its own account investment securities under ment securities. such limitations and restrictions as the Comptroller of the Currency may by regulation prescribe, but in no event (1) shall the total Percentage peramount of any issue of investment securities of any one obligor or maker purchased after this section as amended takes effect and held by the association for its own account exceed at any time 10 per centum of the total amount of such issue outstanding, but this limitation shall not apply to any such issue the total amount of which does not exceed \$100,000 and does not exceed 50 per centum of the capital of the association, nor (2) shall the total amount of the investment securities of any one obligor or maker purchased after this section as amended takes effect and held by the association for its own account exceed at any time 15 per centum of the amount of the capital stock of the association actually paid in and unimpaired and 25 per centum of its unimpaired surplus fund. As used in this section the term 'investment securities' shall mean marketable obligations evidencing indebtedness of any person, copartnership, association, or corporation in the form of bonds, notes and/or debentures commonly known as investment securities under such further definition of the term 'investment securities' as may by regulation be prescribed by the Comptroller of the Currency. Except as hereinafter provided or otherwise per- Purchase of stock mitted by law, nothing herein contained shall authorize the purchase by the association of any shares of stock of any corporation. The limitations and restrictions herein contained as to dealing in, understates, etc. writing and purchasing for its own account, investment securities shall not apply to obligations of the United States, or general obligations of any State or of any political subdivision thereof, or obligations issued under authority of the Federal Farm Loan Act, as amended, or issued by the Federal Home Loan Banks or the Home Owners' Loan Corporation: *Provided*, That in carrying on the business commonly known as the safe-deposit business the association shall not invest in the capital stock of a corporation organized under the law of any State to conduct a safe-deposit business in an amount in excess of 15 per centum of the capital stock of the association actually paid in and unimpaired and 15 per centum of its unimpaired surplus.

The restrictions of this section as to dealing in investment securities shall take effect one year after the date of the approval of this Act.

(U.S.C., title 12, sec. 51; Supp. VI, title 12, sec. 51), is amended to VI, p. 130. read as follows:

"SEC, 5138. After this section as amended takes effect, no national banks.

Capital, national banking association shall be organized with a less capital than Requisite amount of, on organization. \$100,000, except that such associations with a capital of not less than \$50,000 may be organized in any place the population of which does not exceed six thousand inhabitants. No such association shall be organized in a city the population of which exceeds fifty thousand persons with a capital of less than \$200,000, except that in the outlying districts of such a city where the State laws permit the organization of State banks with a capital of \$100,000 or less, national banking associations now organized or hereafter organized may, with the approval of the Comptroller of the Currency, have a capital of not less than \$100,000."

(b) The tenth paragraph of section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 329), is amended to read as follows:

"No applying bank shall be admitted to membership in a Federal bership.

Paid-up capital rereserve bank unless it possesses a paid-up unimpaired capital suffiquired.

of invest-

"Investment securi-ties," construed.

Proviso. Safe-deposit business.

Effective date of re-strictions.

Vol. 40, p. 234. U.S.C., p. 280.

Admission to mem-

Provise.
State banks organ ized prior bereto, etc.

Ante, p. 168.

R.S., sec. 5139, p 993 U.S.C., p. 261; Supp VI, p. 131.

Stock certificates, banking associations.
Use to represent stock in other corporation prohibited.

R.S., sec. 5144, p. 994. U.S.C., p. 262.

Shareholder's right to

Nonvoting shares.

Proxies.

Shares deemed con-trolled by holding com-pany.

Voting permit, holding company affiliate.

Application for.

cient to entitle it to become a national banking association in the place where it is situated under the provisions of the National Bank Act, as amended: *Provided*, That this paragraph shall not apply to State banks and trust companies organized prior to the date this paragraph as amended takes effect and situated in a place the population of which does not exceed three thousand inhabitants and having a capital of not less than \$25,000, nor to any State bank or trust company which is so situated and which, while it is entitled to the benefits of insurance under section 12B of this Act, increases its capital to not less than \$25,000."

SEC. 18. Section 5139 of the Revised Statutes, as amended (U.S.C., title 12, sec. 52; Supp. VI, title 12, sec. 52), is amended by adding at

the end thereof the following new paragraph:
"After one year from the date of the enactment of the Banking Act of 1933, no certificate representing the stock of any such association shall represent the stock of any other corporation, except a member bank or a corporation existing on the date this paragraph takes effect engaged solely in holding the bank premises of such association, nor shall the ownership, sale, or transfer of any certificate representing the stock of any such association be conditioned in any manner whatsoever upon the ownership, sale, or transfer of a certificate representing the stock of any other corporation, except a member bank." SEC. 19. Section 5144 of the Revised Statutes, as amended (U.S.C.,

title 12, sec. 61), is amended to read as follows:
"Sec. 5144. In all elections of directors, each shareholder shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and in deciding all other questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; except (1) that shares of its own stock held by a national bank as sole trustee shall not be voted, and shares of its own stock held by a national bank and one or more persons as trustees may be voted by such other person or persons, as trustees, in the same manner as if he or they were the sole trustee, and (2) shares controlled by any holding company affiliate of a national bank shall not be voted unless such holding company affiliate shall have first obtained a voting permit as hereinafter provided, which permit is in force at the time such shares are voted. Shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or bookkeeper of such bank shall act as proxy; and no shareholder whose liability is past due and unpaid shall be allowed to vote.

"For the purposes of this section shares shall be deemed to be controlled by a holding company affiliate if they are owned or controlled directly or indirectly by such holding company affiliate, or held by any trustee for the benefit of the shareholders or members

thereof.

"Any such holding company affiliate may make application to the Federal Reserve Board for a voting permit entitling it to cast one vote at all elections of directors and in deciding all questions at meetings of shareholders of such bank on each share of stock controlled by it or authorizing the trustee or trustees holding the stock for its benefit or for the benefit of its shareholders so to vote the same. The Federal Reserve Board may, in its discretion, grant or withhold such permit as the public interest may require. In acting upon such application, the Board shall consider the financial condition of the applicant, the general character of its management, and the prob-

able effect of the granting of such permit upon the affairs of such bank, but no such permit shall be granted except upon the following

conditions:

"(a) Every such holding company affiliate shall, in making the application for such permit, agree (1) to receive, on dates identical with those fixed for the examination of banks with which it is affiliated, examiners duly authorized to examine such banks, who shall make such examinations of such holding company affiliate as shall be necessary to disclose fully the relations between such banks and such holding company affiliate and the effect of such relations upon the affairs of such banks, such examinations to be at the expense of the holding company affiliate so examined; (2) that the reports of such examiners shall contain such information as shall be necessary to disclose fully the relations between such affiliate and such banks and the effect of such relations upon the affairs of such banks; (3) that such examiners may examine each bank owned or controlled by the holding company affiliate, both individually and in conjunction with other banks owned or controlled by such holding company affiliate; and (4) that publication of individual or consolidated statements of condition of such banks may be required;

(b) After five years after the enactment of the Banking Act tained. of 1933, every such holding company affiliate (1) shall possess, and shall continue to possess during the life of such permit, free and clear of any lien, pledge, or hypothecation of any nature, readily marketable assets other than bank stock in an amount not less than 12 per centum of the aggregate par value of all bank stocks controlled by such holding company affiliate, which amount shall be increased by not less than 2 per centum per annum of such aggregate par value until such assets shall amount to 25 per centum of the aggregate par value of such bank stocks; and (2) shall reinvest in readily marketable assets other than bank stock all net earnings over and above 6 per centum per annum on the book value of its own shares outstanding until such assets shall amount to such 25 per centum of the aggregate par value of all bank stocks controlled

y it;
"(c) Notwithstanding the foregoing provisions of this section, Shareholder the Danking Act of 1933, (1) Post, p. 195 after five years after the enactment of the Banking Act of 1933, (1) any such holding company affiliate the shareholders or members of which shall be individually and severally liable in proportion to the number of shares of such holding company affiliate held by them respectively, in addition to amounts invested therein, for all statutory liability imposed on such holding company affiliate by reason of its control of shares of stock of banks, shall be required only to establish and maintain out of net earnings over and above 6 per centum per annum on the book value of its own shares outstanding a reserve of readily marketable assets in an amount of not less than 12 per centum of the aggregate par value of bank stocks controlled by it, and (2) the assets required by this section to be possessed by such holding company affiliate may be used by it for replacement of capital in banks affiliated with it and for losses incurred in such banks, but any deficiency in such assets resulting from such use shall be made up within such period as the Federal Reserve Board may

by regulation prescribe;
"(d) Every officer, director, agent, and employee of every such Liability of officers, employees, etc. holding company affiliate shall be subject to the same penalties for false entries in any book, report, or statement of such holding company affiliate as are applicable to officers, directors, agents, and employees of member banks under section 5209 of the Revised Statutes, as amended (U.S.C., title 12, sec. 592); and

Conditions.

Agreement required.

Post, p. 195.

R.S., sec. 5209, p. 1007. U.S.C., p. 291.

Agreements.

Voting permits, holding company affiliate shall, in its application.

"(e) Every such holding company affiliate shall, in its application for such voting permit, (1) show that it does not own, control, or have any interest in, and is not participating in the management or direction of, any corporation, business trust, association, or other similar organization formed for the purpose of, or engaged principally in the issue, flotation, underwriting, public sale, or cipally in, the issue, flotation, underwriting, public sale, or distribution, at wholesale or retail or through syndicate participation, of stocks, bonds, debentures, notes, or other securities of any sort (hereinafter referred to as 'securities company'); (2) agree that during the period that the permit remains in force it will not acquire any ownership, control, or interest in any such securities company or participate in the management or direction thereof; (3) agree that if, at the time of filing the application for such permit, it owns, controls, or has an interest in, or is participating in the management or direction of, any such securities company, it will, within five years after the filing of such application, divest itself of its ownership, control, and interest in such securities company and will cease participating in the management or direction thereof, and will not thereafter, during the period that the permit remains in force, acquire any further ownership, control, or interest in any such securities company or participate in the management or direc-tion thereof; and (4) agree that thenceforth it will declare dividends only out of actual net earnings.

"If at any time it shall appear to the Federal Reserve Board that any holding company affiliate has violated any of the provisions of the Banking Act of 1933 or of any agreement made pursuant to this section, the Federal Reserve Board may, in its discretion, revoke any such voting permit after giving sixty days' notice by registered mail of its intention to the holding company affiliate and affording it an opportunity to be heard. Whenever the Federal Reserve Board shall have revoked any such voting permit, no national bank whose stock is controlled by the holding company affiliate whose permit is so revoked shall receive deposits of public moneys of the United States, nor shall any such national bank pay any further dividend to such

holding company affiliate upon any shares of such bank controlled by such holding company affiliate.

"Whenever the Federal Reserve Board shall have revoked any voting permit as hereinbefore provided, the rights, privileges, and franchises of any or all national banks the stock of which is controlled by such holding company affiliate shall, in the discretion of the Federal Reserve Board, be subject to forfeiture in accordance with section 2 of the Federal Reserve Act, as amended.

SEC. 20. After one year from the date of the enactment of this Act, no member bank shall be affiliated in any manner described in section 2 (b) hereof with any corporation, association, business trust, or other similar organization engaged principally in the issue, flotation, underwriting, public sale, or distribution at wholesale or retail or through syndicate participation of stocks, bonds, debentures, notes, or other securities.

For every violation of this section the member bank involved shall be subject to a penalty not exceeding \$1,000 per day for each day during which such violation continues. Such penalty may be assessed by the Federal Reserve Board, in its discretion, and, when so assessed, may be collected by the Federal reserve bank by suit or otherwise.

If any such violation shall continue for six calendar months after the member bank shall have been warned by the Federal Reserve Board to discontinue the same, (a) in the case of a national bank, all the rights, privileges, and franchises granted to it under the National

Revocation of permit, upon violating Bank-ing Act of 1933.

Post, p. 195.

Deposits of United States public moneys denied.

Forfeiture of rights, privileges, etc.

Vol. 38, p. 251.

Member bank affiliation with stock, etc., sales organization, probibited

Ante. p. 162.

Penalty for violation.

Assessment of.

National banks. Forfeiture of rights, c., if violation con-

the Federal Reserve Act, as amended (U.S.C., title 12, secs. 141, 222–225, 281–286, and 502), or, (b) in the case of a State member bank, all of its rights and privileges of membership in the Federal Reserve bership rights.

System may be forfeited in the manner prescribed in coatien 2 of Vol. 38, p. 251, U.S.C., pp. 288, 275, 288.

System may be forfeited in the manner prescribed in coatien 2 of Vol. 38, p. 251, U.S.C., pp. 288, 275, 288.

System may be forfeited in the manner prescribed in section 2 of Vol. 38, p. 251, U.S.C., pp. 288, 275, 288. System may be forfeited in the manner prescribed in section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 321–332).

Vol. 38, p. 259.
U.S.C., p. 279; Supp.

SEC. 21. (a) After the expiration of one year after the date of VI, p. 135.

enactment of this Act it shall be unlawful-

(1) For any person, firm, corporation, association, business trust, or other similar organization, engaged in the business of issuing, or other similar organization, engaged in the business of issuing, Receiving deposits underwriting, selling, or distributing, at wholesale or retail, or by stock selling, etc., through syndicate participation, stocks, bonds, debentures, notes, or organization. other securities, to engage at the same time to any extent whatever in the business of receiving deposits subject to check or to repayment upon presentation of a passbook, certificate of deposit, or other evidence of debt, or upon request of the depositor; or

(2) For any person, firm, corporation, association, business trust, or other similar organization, other than a financial institution or private banker subject to examination and regulation under State or Federal law, to engage to any extent whatever in the business of receiving deposits subject to check or to repayment upon presentation of a passbook, certificate of deposit, or other evidence of debt, or upon request of the depositor, unless such person, firm, corporation, association, business trust, or other similar organization shall submit to periodic examination by the Comptroller of the Currency or by the Federal reserve bank of the district and shall make and publish periodic reports of its condition, exhibiting in detail its resources and liabilities, such examination and reports to be made and published at the same times and in the same manner and with like effect and penalties as are now provided by law in respect of national banking associations transacting business in the same locality.

(b) Whoever shall willfully violate any of the provisions of this section shall upon conviction be fined not more than \$5,000 or imprisoned not more than five years, or both, and any officer, director, employee, or agent of any person, firm, corporation, association, business trust, or other similar organization who knowingly participates in any such violation shall be punished by a like fine or

imprisonment or both.

SEC. 22. The additional liability imposed upon shareholders in national banking associations by the provisions of section 5151 of the Revised Statutes, as amended, and section 23 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 63 and 64), shall not apply U.S.C., p. 263. Act, as amended (U.S.C., title 12, secs. 63 and 64), shall not apply with respect to shares in any such association issued after the date of enactment of this Act.

Sec. 23. Paragraph (c) of section 5155 of the Revised Statutes, as amended (U.S.C., title 12, sec. 36), is amended to read as follows:

"(c) A national banking association may, with the approval of the Comptroller of the Currency, establish and operate new branches: association, upon ap (1) Within the limits of the city, town or village in which said association is situated, if such establishment and operation are at the time expressly authorized to State banks by the law of the State in question; and (2) at any point within the State in which said association is situated, if such establishment and operation are at the time authorized to State banks by the statute law of the State in question by language specifically granting such authority affirmatively and not merely by implication or recognition, and subject to the restrictions as to location imposed by the law of the State on State banks.

Unlawful acts.

Receiving deposits without submitting to nation.

Reports required.

Penalty provisions.

R.S., sec. 5155, p. 996. U.S.C., p. 261.

Branches. Establishment by

city, etc.

zopisos. States having popula-tion of less than one million.

Less than one half million.

R.S., sec. 5155, p. 996. U.S.C., p. 261.

Aggregate capital of association; amount.

National banking as-ciations; consolidasociations:

Vol. 44, p. 1225. U.S.C., Supp. VI, p. 129. Capital of consoli-dated association.

of rights, Transfer property, etc.

Proviso.
Power of court to remove consolidated association from trustee-

Branch outside of No such association shall establish a branch outside of the city, town, or village in which it is situated unless it has a paid-in and unimpaired capital stock of not less than \$500,000: Provided, That in States with a population of less than one million, and which have no cities located therein with a population exceeding one hundred thousand, the capital shall be not less than \$250,000: Provided, That in States with a population of less than one-half million, and which have no cities located therein with a population exceeding fifty thousand, the capital shall not be less than \$100,000."

Paragraph (d) of section 5155 of the Revised Statutes, as amended

(U.S.C., title 12, sec. 36), is amended to read as follows:

"(d) The aggregate capital of every national banking association and its branches shall at no time be less than the aggregate minimum capital required by law for the establishment of an equal number of national banking associations situated in the various places where such association and its branches are situated."

Sec. 24. (a) Sections 1 and 3 of the Act entitled "An Act to provide for the consolidation of national banking associations" vol. 40, p. 1043; Vol. 40, p. 1043; Vol. 41, p. 1225.

U.S.C., p. 280; Supp. VI, p. 129.

"State", added.

Vide 101 the consolidation of methods (U.S.C., title 12, secs. 33, 34, proved November 7, 1918, as amended (U.S.C., title 12, secs. 33, 34, and 34a), are amended by striking out the words "county, city, town, or village" wherever they occur in each such section, and inserting

or village" wherever they occur in each such section, and inserting in lieu thereof the words "State, county, city, town, or village."

(b) Section 3 of such Act of November 7, 1918, as amended, is further amended by striking out the cond sentence thereof and inserting in lieu thereof the following: "The capital stock of such consellated association shall not be less than that required under consolidated association shall not be less than that required under existing law for the organization of a national banking association in the place in which such consolidated association is located. Merger of corporate Upon such a consolidation, or upon a consolidation of two or existence. more national banking associations under section 1 of this Act, the corporate existence of each of the constituent banks and national banking associations participating in such consolidation shall be merged into and continued in the consolidated national banking association and the consolidated association shall be deemed to be the same corporation as each of the constituent institutions. rights, franchises, and interests of each of such constituent banks and national banking associations in and to every species of property, real, personal, and mixed, and choses in action thereto belonging, shall be deemed to be transferred to and vested in such consolidated national banking association without any deed or other transfer; and such consolidated national banking association, by virtue of such consolidation and without any order or other action on the part of any court or otherwise, shall hold and enjoy the same and all rights of property, franchises, and interests, including appointments, designations, and nominations and all other rights and interests as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics and in every other fiduciary capacity, in the same manner and to the same extent as such rights, franchises, and interests were held or enjoyed by any such constituent institution at the time of such consolidation: Provided, however, That where any such constituent institution at the time of such consolidation was acting under appointment of any court as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or in any other fiduciary capacity, the consolidated national banking association shall be subject to removal by a court of competent jurisdiction in the same manner and to the same extent as was such constituent corporation prior to the consolidation, and nothing herein contained shall be construed to impair in any manner the right of

any court to remove such a consolidated national banking association and to appoint in lieu thereof a substitute trustee, executor, or other fiduciary, except that such right shall not be exercised in such a manner as to discriminate against national banking associations, nor shall any such consolidated association be removed solely because of the fact that it is a national banking association.'

SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S., sec. 518 SEC. 25. The first two sentences of section 5197 of the Revised R.S. 25. The first two sentences of section 5197 of the Revised R.S. 25. The first two sentences of section 5197 of the Revised R.S. 25. The first two sentences of section 5197 of the Revised R.S. 25. The first two sentences of section 5197 of the Revised R.S. 25. The first two sentences of section 5197 of the Revised R.S. 25. The first two sentences of two sentences of the first two sentences of two se Statutes (U.S.C., title 12, sec. 85) are amended to read as follows:

"Any association may take, receive, reserve, and charge on any Right of association loan or discount made, or upon any notes, bills of exchange, or other loans, etc." "Any association may take, receive, reserve, and charge on any evidences of debt, interest at the rate allowed by the laws of the State, Territory, or District where the bank is located, or at a rate of 1 per centum in excess of the discount rate on ninety-day commercial paper in effect at the Federal reserve bank in the Federal reserve district where the bank is located, whichever may be the greater, and no more, except that where by the laws of any State a different rate is limited for banks organized under State laws, the rate so limited shall be allowed for associations organized or existing in any such State under this title. When no rate is fixed by the laws of the State, or Territory, or District, the bank may take, receive, reserve, or charge a rate not exceeding 7 per centum, or 1 per centum in excess of the discount rate on ninety-day commercial paper in effect at the Federal reserve bank in the Federal reserve district where the bank is located, whichever may be the greater, and such interest may be taken in advance, reckoning the days for which the note, bill, or other evidence of debt has to run."

Sec. 26. (a) The second sentence of the first paragraph of section R.S., sec. 5200, p. 5200 of the Revised Statutes, as amended (U.S.C., title 12, sec. 84; U.S.C., p. 264; Supp. VI, title 12, sec. 84), is amended by inserting before the period Limit of Hability. at the end thereof the following: "and shall include in the case of obligations of a corporation all obligations of all subsidiaries thereof in which such corporation owns or controls a majority interest."

(b) The amendment made by this section shall not apply to such obligations of subobligations of subsidiaries held by such association on the date this

section takes effect.

SEC. 27. Section 5211 of the Revised Statutes, as amended (U.S.C., R.S., sec. 5211, p. title 12, sec. 161; Supp. VI, title 12, sec. 161), is amended by adding U.S.C., p. 269, Supp. at the end thereof the following new paragraph:

"Each national banking association shall obtain from each of its banks to association." affiliates other than member banks and furnish to the Comptroller of the Currency not less than three reports during each year, in such form as the Comptroller may prescribe, verified by the oath or affirmation of the president or such other officer as may be designated by the board of directors of such affiliate to verify such reports, disclosing the information hereinafter provided for as of dates identical with those for which the Comptroller shall during such year require the reports of the condition of the association. For the purpose of this section the term 'affiliate' shall include holding company affiliate', consisted iates as well as other affiliates. Each such report of an affiliate shall to Comptroller. the reports of the condition of the association. For the purpose of be transmitted to the Comptroller at the same time as the corresponding report of the association, except that the Comptroller may, in his discretion, extend such time for good cause shown. Each such report shall contain such information as in the judgment of the Comptroller of the Currency shall be necessary to disclose fully the relations between such affiliate and such bank and to enable the Comptroller to inform himself as to the effect of such relations upon the affairs of such bank. The reports of such affiliates shall be published by the association under the same conditions as govern its own condition reports. The Comptroller shall also have power to call for additional

Discrimination not authorized.

R.S., sec. 5197, p.

Commercial paper.

When no fixed rate.

Form. Verification.

Contents.

Publication.

Additional reports.

Penalty provision.

R.S., sec. 5240, p. 1013. U.S.C., p. 288.

cluded.

Vol. 38, p. 251. U.S.C., pp. 268, 275, 277, 288.

Publication. of examinations.

Notice of.

R.S., sec. 5240, p. 1013. U.S.C., p. 288.

Powers of examiner.

tions

Employment of examiners, etc.

Compensation.

reports with respect to any such affiliate whenever in his judgment the same are necessary in order to obtain a full and complete knowledge of the conditions of the association with which it is affiliated. Such additional reports shall be transmitted to the Comptroller of the Currency in such form as he may prescribe. Any such affiliated bank which fails to obtain and furnish any report required under this section shall be subject to a penalty of \$100 for each day during which such failure continues."

SEC. 28. (a) The first paragraph of section 5240 of the Revised Statutes, as amended (U.S.C., title 12, sec. 481), is amended by inserting before the period at the end thereof a colon and the fol-Bank examinations. Affiliates to be in lowing proviso: "Provided, That in making the examination of any national bank the examiners shall include such an examination of the affairs of all its affiliates other than member banks as shall be necessary to disclose fully the relations between such bank and such Information required. affiliates and the effect of such relations upon the affairs of such Forfeiture of rights bank; and in the event of the refusal to give any information required in the course of the examination of any such affiliate, or in the event of the refusal to permit such examination, all the rights, privileges, and franchises of the bank shall be subject to forfeiture in accordance with section 2 of the Federal Reserve Act, as amended (U.S.C., title 12, secs. 141, 222-225, 281-286, and 502). The Comptroller of the Currency shall have power, and he is hereby authorreport ized, to publish the report of his examination of any national banking association or affiliate which shall not within one hundred and twenty days after notification of the recommendations or suggestions of the Comptroller, based on said examination, have complied with the same to his satisfaction. Ninety days' notice prior to such publicity shall be given to the bank or affiliate."

(b) Section 5240 of the Revised Statutes, as amended (U.S.C., title 12, sec. 481), is further amended by adding after the first paragraph thereof the following new paragraph:

"The examiner making the examination of any affiliate of a national bank shall have power to make a thorough examination of all the affairs of the affiliate, and in doing so he shall have power to administer oaths and to examine any of the officers, directors, employees, and agents thereof under oath and to make a report of Expense of examina his findings to the Comptroller of the Currency. The expense of examinations of such affiliates may be assessed by the Comptroller of the Currency upon the affiliates examined in proportion to assets or resources held by the affiliates upon the dates of examination of Assessment on rethe various affiliates. If any such affiliate shall refuse to pay such expenses or shall fail to do so within sixty days after the date of such assessment, then such expenses may be assessed against the Proviso.

Assessment when affiliated national bank and, when so assessed, shall be paid by such Assessment when at-filiation of two or national bank: Provided, however, That, if the affiliation is with two more national banks. or more national banks, such expenses may be assessed against, and or more national banks, such expenses may be assessed against, and collected from, any or all of such national banks in such proportions as the Comptroller of the Currency may prescribe. The examiners and assistant examiners making the examinations of national banking associations and affiliates thereof herein provided for and the chief examiners, reviewing examiners and other persons whose services may be required in connection with such examinations or the reports thereof, shall be employed by the Comptroller of the Currency with the approval of the Secretary of the Treasury; the employment and compensation of examiners, chief examiners, reviewing examiners, assistant examiners, and of the other employees of the office of the Comptroller of the Currency whose compensation is paid from assessments on banks or affiliates thereof shall be without regard

to the provisions of other laws applicable to officers or employees of the United States. The funds derived from such assessments may be deposited by the Comptroller of the Currency in accordance with the provisions of section 5234 of the Revised Statutes (U.S.C., title 12, sec. 192) and shall not be construed to be Government funds or 102 appropriated monies; and the Comptroller of the Currency is authorized and empowered to prescribe regulations governing the computation and assessment of the expenses of examinations herein provided for and the collection of such assessments from the banks and/or affiliates examined. If any affiliate of a national bank shall results to permit an examiner to make an examination of the affiliate amination. or shall refuse to give any information required in the course of any such examination, the national bank with which it is affiliated shall be subject to a penalty of not more than \$100 for each day that any such refusal shall continue. Such penalty may be assessed by the ty. Assessment of penal-Comptroller of the Currency and collected in the same manner as expenses of examinations."

Sec. 29. In any case in which, in the opinion of the Comptroller Resumption of business, by closed association. Resumption of business, by closed association. unsecured creditors of any national banking association whose business has been closed, for such association to resume business upon the retention by the association, for a reasonable period to be prescribed by the Comptroller, of all or any part of its deposits, the Comptroller is authorized, in his discretion, to permit the association to consent of deposition resume business if depositors and unsecured creditors of the association representing at least 75 per centum of its total deposit and unsecured credit liabilities consent in writing to such retention of ler not affected.

Powers of Comptroller not affected. deposits. Nothing in this section shall be construed to affect in any manner any powers of the Comptroller under the provisions of law in force on the date of enactment of this Act with respect to the

reorganization of national banking associations.

rency, any director or officer of a national bank, or of a bank or bank.

Violations of law by officer, etc., of national trust company doing business in the District of Columbia. ever, in the opinion of a Federal reserve agent, any director or officer of a State member bank in his district shall have continued to violate any law relating to such bank or trust company or shall have tices. continued unsafe or unsound practices in conducting the business of such bank or trust company, after having been warned by the Comptroller of the Currency or the Federal reserve agent, as the case may be, to discontinue such violations of law or such unsafe or unsound practices, the Comptroller of the Currency or the Federal to Board. Certification of facts reserve agent, as the case may be, may certify the facts to the Federal Reserve Board. In any such case the Federal Reserve Board may cause notice to be served upon such director or officer to appear before such Board to show cause why he should not be removed Copy to be transfrom office. A copy of such order shall be sent to each director of the bank affected, by registered mail. If after granting the accused after hearing. director or officer a reasonable opportunity to be heard, the Federal Reserve Board finds that he has continued to violate any law relating to such bank or trust company or has continued unsafe or unsound practices in conducting the business of such bank or trust company after having been warned by the Comptroller of the Currency or the Federal reserve agent to discontinue such violation of law or such unsafe or unsound practices, the Federal Reserve Board, in its discretion, may order that such director or officer be removed from croen office. A copy of such order shall be served upon such director or officer. A copy of such order shall also be served upon the bank of which he is a director or officer, whereupon such director or officer

Status of assessments.

R.S., sec. 5234, p Ü.S.C., p. 271.

When continues un-safe, etc., banking prac-

Сору of removal

Removed officer, penalty for further participation in bank management.

Board of directors,

Number of members.

quirement.

Post, p. 971.

Appointment of receiver, when violation by national bank.

Forfeiture of mem-bership, State member

Member bank offities tra

act as bank.

Revocation.

Vol. 38, p. 732; Vol. 39, p. 121; Vol. 41, p. 626, U.S.C., p. 353.

Clayton Act, amendrates and officers.

Proviso.
Confidential nature shall cease to be a director or officer of such bank: Provided, That such order and the findings of fact upon which it is based shall not be made public or disclosed to anyone except the director or officer involved and the directors of the bank involved, otherwise than in connection with proceedings for a violation of this section. such director or officer removed from office as herein provided who thereafter participates in any manner in the management of such bank shall be fined not more than \$5,000, or imprisoned for not more than five years, or both, in the discretion of the court. SEC. 31. After one year from the date of enactment of this Act,

notwithstanding any other provision of law, the board of directors, board of trustees, or other similar governing body of every national banking association and of every State bank or trust company which is a member of the Federal Reserve System shall consist of not less than five nor more than twenty-five members; and every director, Stock ownership re- trustee, or other member of such governing body shall be the bona fide owner in his own right of shares of stock of such banking association, State bank or trust company having a par value in the aggregate of not less than \$2,500, unless the capital of the bank shall not exceed \$50,000, in which case he must own in his own right shares having a par value in the aggregate of not less than \$1,500, or unless the capital of the bank shall not exceed \$25,000, in which case he must own in his own right shares having a par value in the aggregate of not less than \$1,000. If any national banking association violates the provisions of this section and continues such violation after thirty days' notice from the Comptroller of the Currency, the said Comptroller may appoint a receiver or conservator therefor, in accordance with the provisions of existing law. If any State bank or trust company which is a member of the Federal Reserve System violates the provisions of this section and continues such violation after thirty days' notice from the Federal Reserve Board, it shall be subject to the forfeiture of its membership in the Federal Reserve System in accordance with the provisions of section 9 of the Federal Reserve Act, as amended.

SEC. 32. From and after January 1, 1934, no officer or director cers, directors, etc.

Engaging in securities transactions procorporation, partnership, or unincorporated association engaged pricorporation, partnership, or unincorporated association engaged primarily in the business of purchasing, selling, or negotiating securities, and no member bank shall perform the functions of a corre-Member bank not to spondent bank on behalf of any such individual, partnership, corporation, or unincorporated association and no such individual, partnership, corporation, or unincorporated association shall perform the functions of a correspondent for any member bank or hold on Permit issued by deposit any funds on behalf of any member bank, unless in any such case there is a permit therefor issued by the Federal Reserve Board; and the Board is authorized to issue such permit if in its judgment it is not incompatible with the public interest, and to revoke any such permit whenever it finds after reasonable notice and opportunity to be heard, that the public interest requires such revocation.

SEC. 33. The Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes" approved October 15, 1914, as amended (U.S.C., title 15, sec. 19), is hereby amended by adding after section 8 thereof the following new section:

"Sec. 8A. That from and after the 1st day of January 1934, no Interlocking director director, officer, or employee of any bank, banking association, or trust company, organized or operating under the laws of the United States shall be at the same time a director, officer, or employee of a corporation (other than a mutual savings bank) or a member of a partnership organized for any purpose whatsoever which shall make loans secured by stock or bond collateral to any individual, association, partnership, or corporation other than its own subsidiaries."

SEC. 34. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, June 16, 1933, 11:45 a.m.

Amendment. Separability of pro-visions.

[CHAPTER 90.]

AN ACT

To encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes.

June 16, 1933. [H.R. 5755.] [Public, No. 67.]

Be it enacted by the Senate and House of Representatives of the Recovery Act. United States of America in Congress assembled,

TITLE I—INDUSTRIAL RECOVERY

DECLARATION OF POLICY

Section 1. A national emergency productive of widespread unemployment and disorganization of industry, which burdens interstate and foreign commerce, affects the public welfare, and undermines the standards of living of the American people, is hereby declared to exist. It is hereby declared to be the policy of Congress to remove obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof; and to provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industries, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and to conserve natural resources.

TITLE I-INDUS-TRIAL RECOVERY.

Appropriation for. Past, p. 275.

Declaration of policy.

ADMINISTRATIVE AGENCIES

Administrative agencies.

Sec. 2. (a) To effectuate the policy of this title, the President is to establish. hereby authorized to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the provisions of the civil service laws, such officers and employees, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, and state officers, etc.

Appointments.

Cooperation of Federal and State officers, etc. ployees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

(b) The President may delegate any of his functions and powers tions. under this title to such officers, agents, and employees as he may designate or appoint, and may establish an industrial planning and the stablishment authorized the stab research agency to aid in carrying out his functions under this title.

thorized.

Termination of agencies, etc.

(c) This title shall cease to be in effect and any agencies established hereunder shall cease to exist at the expiration of two years after the date of enactment of this Act, or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended.

Codes of fair competition.

CODES OF FAIR COMPETITION

Approval President. bу the

Sec. 3. (a) Upon the application to the President by one or more trade or industrial associations or groups, the President may approve a code or codes of fair competition for the trade or industry or subdivision thereof, represented by the applicant or applicants, if the President finds (1) that such associations or groups impose no inequitable restrictions on admission to membership therein and are truly representative of such trades or industries or subdivisions thereof, and (2) that such code or codes are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of this title: Provided, That such code or codes shall not permit monopolies or monopolistic practices: Provided further, That where such code or codes affect the services and welfare of persons engaged in other steps of the economic process, nothing in this section shall deprive such persons of the right to be heard prior to approval by the President of such code or codes. The President Imposition of conditions for protection of conditions for protection of conditions (including requirements for the making of reports and conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the President in his discretion deems necessary to effectuate the policy herein declared.

(b) After the President shall have approved any such code, the provisions of such code shall be the standards of fair competition

Provisos.
Monopolies, etc., not permitted.
Right of persons affected to be heard.

Approved code to be standard of fair competition. Violations violations deemed unfair practice.

Vol. 39, p. 717.

Jurisdiction of dis-trict courts to restrain violations.

Establishment of compulsory code by President.

Effect of code.

for such trade or industry or subdivision thereof. Any violation of such standards in any transaction in or affecting interstate or foreign commerce shall be deemed an unfair method of competition in commerce within the meaning of the Federal Trade Commission Act, as amended; but nothing in this title shall be construed to impair the powers of the Federal Trade Commission under such Act, as amended. (c) The several district courts of the United States are hereby

invested with jurisdiction to prevent and restrain violations of any code of fair competition approved under this title; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations.

(d) Upon his own motion, or if complaint is made to the President that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in any trade or industry or subdivision Notice and hearing thereof, and if no code of fair competition therefor has theretofore been approved by the President, the President, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition for such trade or industry or subdivision thereof, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of this section.

Importation of competitive articles affecting maintenance of or industrial organization, association, or group, which has complied code. with the provisions of this title, shall make complaint to the President

that any article or articles are being imported into the United States in substantial quantities or increasing ratio to domestic production of any competitive article or articles and on such terms or under such conditions as to render ineffective or seriously to endanger the maintenance of any code or agreement under this title, the President Investigation by Tarmay cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investiga-tions under this subsection, and if, after such investigation and such public notice and hearing as he shall specify, the President shall find the existence of such facts, he shall, in order to effectuate the policy the existence of such facts, he shall, in order to effectuate the policy President to prescribe of this title, direct that the article or articles concerned shall be sign of articles. permitted entry into the United States only upon such terms and limitations in the total quantity which may be imported (in the admitted quantity. course of any specified period or periods) as he shall find it necessary to prescribe in order that the entry thereof shall not to prescribe in order that the entry thereof shall not render or tend to render ineffective any code or agreement made under this title. In President may for-order to enforce any limitations imposed on the total quantity of importer liceuse ob-imports, in any specified period or periods of any article or articles tained. imports, in any specified period or periods, of any article or articles under this subsection, the President may forbid the importation of such article or articles unless the importer shall have first obtained lations as the President may prescribe. Upon information of any terms, etc., imposed by action by the President under this subsection the Secretary of the Treasury shall, through the proper officers. Treasury shall, through the proper officers, permit entry of the article or articles specified only upon such terms and conditions and subject to such fees, to such limitations in the quantity which may be imported, and to such requirements of license, as the President shall have directed. The decision of the President as to facts shall be conclusive. Any condition or limitation of entry under this sub-tations, effective pesection shall continue in effect until the President shall find and riod. inform the Secretary of the Treasury that the conditions which led to the imposition of such condition or limitation upon entry no longer exists.

(f) When a code of fair competition has been approved or pre- Violations of proviscribed by the President under this title, any violation of any provision thereof in any transaction in or affecting interstate or foreign commerce shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than \$500 for each offense, and each day such violation continues shall be deemed a separate offense.

AGREEMENTS AND LICENSES

SEC. 4. (a) The President is authorized to enter into agreements Authority of President to enter trade with, and to approve voluntary agreements between and among, persons engaged in a trade or industry, labor organizations, and trade or industrial organizations, associations, or groups, relating to any trade or industry, if in his judgment such agreements will aid in effectuating the policy of this title with respect to transactions in or affecting interstate or foreign commerce, and will be consistent with the requirements of clause (2) of subsection (a) of section 3 for a code of fair competition.

(b) Whenever the President shall find that destructive wage or Licenses. Issue of, to business price cutting or other activities contrary to the policy of this title enterprises when unfair are being practiced in any trade or industry or any subdivision industry. thereof, and, after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition or an agreement under this title or otherwise to effectuate the policy of this title, and shall publicly

Notice and hearing.

Decision conclusive.

Penalty.

Agreements and li-censes.

agreements.

Ante, p. 196.

Expiration of authority.

Ante, p. 196.

Antitrust laws not applicable to codes, agreements, etc.

Businesses exempt. Limitations upon application of title.

Engaging in business so announce, no person shall, after a date fixed in such announce-hibited. ment, engage in or carry on any business, in or affecting interstate or foreign commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as

Revocation of license. the President shall prescribe. The President may suspend or revoke Finality of revoking any such license, after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the President suspending or revoking any such license shall be final if Penalty for violation. in accordance with law. Any person who, without such a license or in violation of any condition thereof, carries on any such business for which a license is so required, shall, upon conviction thereof, be fined not more than \$500, or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a Notwithstanding the provisions of section 2 (c), separate offense. this subsection shall cease to be in effect at the expiration of one year after the date of enactment of this Act or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 has ended.

SEC. 5. While this title is in effect (or in the case of a license, while section 4 (a) is in effect) and for sixty days thereafter, any code, agreement, or license approved, prescribed, or issued and in effect under this title, and any action complying with the provisions thereof taken during such period, shall be exempt from the provisions of the antitrust laws of the United States.

Nothing in this Act, and no regulation thereunder, shall prevent an individual from pursuing the vocation of manual labor and selling or trading the products thereof; nor shall anything in this Act, or regulation thereunder, prevent anyone from marketing or trading the produce of his farm.

LIMITATIONS UPON APPLICATION OF TITLE

Statements of trade. etc., associations before benefits to accrue.

SEC. 6. (a) No trade or industrial association or group shall be eligible to receive the benefit of the provisions of this title until it files with the President a statement containing such information relating to the activities of the association or group as the President shall by regulation prescribe.

and regula-Rules tions

(b) The President is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this title shall be truly representative of the trade or industry or subdivision thereof represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this title.

Investigations by Federal Trade Commission.

(c) Upon the request of the President, the Federal Trade Commission shall make such investigations as may be necessary to enable the President to carry out the provisions of this title, and for such purposes the Commission shall have all the powers vested in it with respect of investigations under the Federal Trade Commission Act, as amended.

Conditions required in codes, agreements, and licenses.

Sec. 7. (a) Every code of fair competition, agreement, and license approved, prescribed, or issued under this title shall contain the following conditions: (1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; (2) that no employee and no one seeking employment shall be required as a condition of employment to join any

company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and (3) that employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.

(b) The President shall, so far as practicable, afford every opportunity to employers and employees in any trade or industry or subdi- work agreements. vision thereof with respect to which the conditions referred to in clauses (1) and (2) of subsection (a) prevail, to establish by mutual agreement, the standards as to the maximum hours of labor, minimum rates of pay, and such other conditions of employment as may be necessary in such trade or industry or subdivision thereof to effectuate the policy of this title; and the standards established in proved agreements such agreements, when approved by the President, shall have the Ante, p 196 same effect as a code of fair competition, approved by the President

under subsection (a) of section 3.

(c) Where no such mutual agreement has been approved by the Code authorized, President he may investigate the labor practices, policies, wages, when mutual agreement hours of labor, and conditions of employment in such trade or industry or subdivision thereof; and upon the basis of such investigations, and after such hearings as the President finds advisable, he is authorized to prescribe a limited code of fair competition fixing such maximum hours of labor, minimum rates of pay, and other conditions of employment in the trade or industry or subdivision thereof investigated as he finds to be necessary to effectuate the policy of this title, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of section 3. The President may differentiate according to experience and skill of the employees affected and according to the locality of employment; but no attempt shall be made to introduce any classification according to the nature of the work involved which might

tend to set a maximum as well as a minimum wage.

(d) As used in this title, the term "person" includes any indiversal and interstate and foreign commerce" and "interstate or foreign commerce"; "interstate and foreign commerce" and "interstate or foreign commerce"; "interstate among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States.

APPLICATION OF AGRICULTURAL ADJUSTMENT ACT

Sec. 8. (a) This title shall not be construed to repeal or modify any of the provisions of title I of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933; and such title I of said Act approved May 12, 1933, may for all purposes be hereafter referred to as the "Agricultural Adjustment Act."

(b) The President may, in his discretion, in order to avoid conflicts in the administration of the Agricultural Adjustment Act and this title, delegate any of his functions and powers under this title

Employer - employee rage and hours of

Effectiveness of ap-

Effectiveness.

Application of Agricultural Adjustment Act.

Provisions not repealed.

Citation Ante, p. 31.

Delegation of func-tions authorized.

with respect to trades, industries, or subdivisions thereof which are engaged in the handling of any agricultural commodity or product thereof, or of any competing commodity or product thereof, to the Secretary of Agriculture.

Oil regulation.

OIL REGULATION

Regulation of oil-pipe Nos. 6199, July 11, 1933; 6204, July 14, 1933.

to be fixed.

Transportation mo-

Prohibition on trans-portation of oil in inter-state, etc., commerce of quantity in excess of State, etc., limitation. Post, p 1057.

Penalty.

tions.

SEC. 9. (a) The President is further authorized to initiate before nes.

Executive Orders the Interstate Commerce Commission proceedings necessary to prescribe regulations to control the operations of oil pipe lines and to Transportation rates fix reasonable, compensatory rates for the transportation of petroleum and its products by pipe lines, and the Interstate Commerce Commission shall grant preference to the hearings and determination of such cases.

(b) The President is authorized to institute proceedings to divorce Proceedings against from any holding company any pipe-line company controlled by such holding company which pipe-line company by unfair practices or by exorbitant rates in the transportation of petroleum or its products tends to create a monopoly.

(c) The President is authorized to prohibit the transportation in interstate and foreign commerce of petroleum and the products thereof produced or withdrawn from storage in excess of the amount permitted to be produced or withdrawn from storage by any State law or valid regulation or order prescribed thereunder, by any board, commission, officer, or other duly authorized agency of a State. Any violation of any order of the President issued under the provisions of this subsection shall be punishable by fine of not to exceed \$1,000, or imprisonment for not to exceed six months, or both.

Rules and regula-

Prescribed by President.

Penalty for viola-

Amendment of or-

RULES AND REGULATIONS

Sec. 10. (a) The President is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this title, and fees for licenses and for filing codes of fair competition and agreements, and any violation of any such rule or regulation shall be punishable by fine of not to exceed \$500, or imprisonment for not to exceed six months, or both.

(b) The President may from time to time cancel or modify any order, approval, license, rule, or regulation issued under this title; and each agreement, code of fair competition, or license approved, prescribed, or issued under this title shall contain an express provision to that effect.

TITLE II-PUBLIC WORKS AND CON-STRUCTION PROJECTS

TITLE II—PUBLIC WORKS AND CONSTRUCTION PROJECTS

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Federal Emergency Administration of Pub-lic Works.

Establishment thorized.

Post, p. 351.

Appointments.

Section 201. (a) To effectuate the purposes of this title, the President is hereby authorized to create a Federal Emergency Administration of Public Works, all the powers of which shall be exercised by a Federal Emergency Administrator of Public Works (hereafter referred to as the "Administrator"), and to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the civil service laws, such officers and employees, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees as he may find necessary, to prescribe their Duties to be pre- authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed. The President may delegate any of his functions and powers under this title to such officers,

agents, and employees as he may designate or appoint.

(b) The Administrator may, without regard to the civil service Appointment of exlaws or the Classification Act of 1923, as amended, appoint and fix the compensation of such experts and such other officers and Compensation. employees as are necessary to carry out the provisions of this title; and may make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, ing for law books and books of reference, and for paper, printing and binding) as are necessary to carry out the provisions of this title.

(c) All such compensation, expenses, and allowances shall be

paid out of funds made available by this Act.

(d) After the expiration of two years after the date of the enact-er. ment of this Act, or sooner if the President shall by proclama-tion or the Congress shall by joint resolution declare that the emer-gency recognized by section 1 has ended, the President shall not make any further loans or grants or enter upon any new construction under this title, and any agencies established hereunder shall cease to exist and any of their remaining functions shall be transferred to such departments of the Government as the President shall designate: Provided, That he may issue funds to a borrower under this title prior to January 23, 1939, under the terms of any agreement, or any commitment to bid upon or purchase bonds, entered into with such borrower prior to the date of termination, under this section, of the power of the President to make loans.

Sec. 202. The Administrator, under the direction of the President, works to be prepared.

Program of public works, which shall Projects included.

Projects included. shall prepare a comprehensive program of public works, which shall include among other things the following: (a) Construction, repair, and improvement of public highways and park ways, public buildings, and any publicly owned instrumentalities and facilities; (b) conservation and development of natural resources, including control, utilization, and purification of waters, prevention of soil or coastal erosion, development of water power, transmission of electrical energy, and construction of river and harbor improvements and flood control and also the construction of any river or drainage improvement required to perform or satisfy any obligation incurred by the United States through a treaty with a foreign Government heretofore ratified and to restore or develop for the use of any State or its citizens water taken from or denied to them by performance on the part of the United States of treaty obligations heretofore assumed: Provided, That no river or harbor improvements shall be carried out unless they shall have heretofore or hereafter been adopted by the Congress or are recommended by the Chief of Engineers of the United States Army; (c) any projects of the character heretofore constructed or carried on either directly by public authority or with public aid to serve the interests of the general public; (d) construction, reconstruction, alteration, or repair under public regulation or control of low-cost housing and slum-clearance projects; (e) any project (other than those included in the foregoing classes) of any character heretofore eligible for loans under subsection (a) of section 201 of the Emergency Relief and Construction Act of 1932, as amended, and paragraph (3) of such subsection (a) shall for such purposes be held to include loans for the construction or completion of hospitals the operation of which is partly financed from public funds, and of reservoirs and pumping plants and for the construction of dry docks; and if in the opinion of the President val vessels.

Construction of naval vessels within the terms and/or limits established by the London Naval Treaty of 1930 and of aircraft required therefor and construction of heavier-than-air

Expenditures.

Printing and bind-

Funds available.

Termination of now-

Transfer of agencies.

Proviso.
Issue of funds prior to January 23, 1939.

Construction under treaty obligations.

Approval required.

Vol 47, p. 711.

Vol. 46, p. 2858.

Aircraft.

Army housing projects, etc.

Unemployment relief.

Agencies to be created.

Construction of publie works project.

Grants to States.

Limit.

Acquisition of property.

Sales.

Provisos. Use of proceeds.

Post, p. 206.

Library of Congress. Annex construction. Vol 46, p. 583.

Applicability of provisions,

Travel expenses.

Personal services.

aircraft and technical construction for the Army Air Corps and such Army housing projects as the President may approve, and provision of original equipment for the mechanization or motorization of such Army tactical units as he may designate: Provided,

Suspension of navel however, That in the event of an international agreement for the and military construction

however, That in the event of an international agreement for the armament, to which the United States is signatory, the President is hereby authorized and empowered to suspend, in whole or in part, any such naval or military construction or mechanization and motorization of Army units: Provided further, That this title shall not be applicable to public works under Construction under the jurisdiction or control of the Architect of the Capitol or of any commission or committee for which such Architect is the contracting and/or executive officer.

Sec. 203. (a) With a view to increasing employment quickly (while reasonably securing any loans made by the United States) the President is authorized and empowered, through the Administrator or through such other agencies as he may designate or create, (1) to construct, finance, or aid in the construction or financing of any publicworks project included in the program prepared pursuant to section 202; (2) upon such terms as the President shall prescribe, to make grants to States, municipalities, or other public bodies for the construction, repair, or improvement of any such project, but no such grant shall be in excess of 30 per centum of the cost of the labor and materials employed upon such project; (3) to acquire by purchase, or by exercise of the power of eminent domain, any real or personal property in connection with the construction of any such project, and to sell any security acquired or any property so constructed or acquired or to lease any such property with or without the privilege of purchase: *Provided*, That all moneys received from any such sale or lease or the repayment of any loan shall be used to retire obligations issued pursuant to section 209 of this Act, in addition to any Railroad mainte other moneys required to be used for such purpose; (4) to aid in the financing of such railroad maintenance and equipment as may be approved by the Interstate Commerce Commission as desirable for the improvement of transportation facilities; and (5) to advance, upon request of the Commission having jurisdiction of the project, the unappropriated balance of the sum authorized for carrying out the provisions of the Act entitled "An Act to provide for the construction and equipment of an annex to the Library of Congress", approved June 13, 1930 (46 Stat. 583); such advance to be expended under the direction of such Commission and in accordance Balance of State, etc., with such Act: Provided, That in deciding to extend any aid or evenues and expendition to extend any aid or sevenues and expendition to extend any aid or evenues and expendition to extend any extendition to extend the extendition the extendition to extend the extendition to extend the extendition to extend the extendition to extend the extendition that exte grant hereunder to any State, county, or municipality the President may consider whether action is in process or in good faith assured therein reasonably designed to bring the ordinary current expenditures thereof within the prudently estimated revenues thereof. The provisions of this section and section 202 shall extend to public works in the several States, Hawaii, Alaska, the District of Columbia, Puerto Rico, the Canal Zone, and the Virgin Islands.

(b) All expenditures for authorized travel by officers and employees, including subsistence, required on account of any Federal public-works projects, shall be charged to the amounts allocated to such projects, notwithstanding any other provisions of law; and there is authorized to be employed such personal services in the District of Columbia and elsewhere as may be required to be engaged upon such work and to be in addition to employees otherwise provided for, the compensation of such additional personal services to be a charge against the funds made available for such construction

work.

(c) In the acquisition of any land or site for the purposes of Footsions applicable federal public buildings and in the construction of such buildings public buildings provided for in this title, the provisions contained in sections 305 Vol. 47, pp. 722, 724. provided for in this title, the provisions contained in sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

(d) The President, in his discretion, and under such terms as Extension of benefits to States, etc. he may prescribe, may extend any of the benefits of this title to any State, county, or municipality notwithstanding any constitutional or legal restriction or limitation on the right or power of such State, county, or municipality to borrow money or incur indebtedness.

SEC. 204. (a) For the purpose of providing for emergency conway departments.

Post, p. 993. struction of public highways and related projects, the President is authorized to make grants to the highway departments of the several States in an amount not less than \$400,000,000, to be expended by such departments in accordance with the provisions of the Federal Highway Act, approved November 9, 1921, as amended and supple-

mented, except as provided in this title, as follows:

(1) For expenditure in emergency construction on the Federal Emergency construction on the federal aid highway system and extensions thereof into and through municiplication of palities. The amount apportioned to any State under this paragraph amount. may be used to pay all or any part of the cost of surveys, plans, and of highway and bridge construction including the elimination of hazards to highway traffic, such as the separation of grades at crossing, the reconstruction of existing railroad grade crossing structures, the relocation of highways to eliminate railroad crossings, the widening of narrow bridges and roadways, the building of footpaths, the replacement of unsafe bridges, the construction of routes to avoid congested areas, the construction of facilities to improve accessibility and the free flow of traffic, and the cost of any other construction that will provide safer traffic facilities or definitely eliminate existing hazards to pedestrian or vehicular traffic. No Use of funds for land funds made available by this title shall be used for the acquisition denied. Use of funds for land funds made available by this title shall be used for the acquisition denied. eliminate existing hazards to pedestrian or vehicular traffic. No of any land, right of way, or easement in connection with any railroad grade elimination project.

(2) For expenditure in emergency construction on secondary or feeder roads to be agreed upon by the State highway departments and the Secretary of Agriculture: Provided, That the State or Maintenance to be and the Secretary of Agriculture: Provided, That the State or Provise. Maintenance to be responsible political subdivision shall provide for the proper main-provided.

Availability of funds.

Availability of funds. tenance of said roads. Such grants shall be available for payment of the full cost of surveys, plans, improvement, and construction of secondary or feeder roads, on which projects shall be submitted by the State highway department and approved by the Secretary of

Agriculture.

(b) Any amounts allocated by the President for grants under Apportionment of funds among States, subsection (a) of this section shall be apportioned among the several States seven-eighths in accordance with the provisions of section 21 of the Federal Highway Act, approved November 9, 1921, as amended and supplemented (which Act is hereby further amended to include for the purposes of this title to include the District of Columbia), umbia. and one-eighth in the ratio which the population of each State bears to the total population of the United States, according to the latest decennial census and shall be available on July 1, 1933, and shall remain available until expended; but no part of the funds apportioned to any State need be matched by the State, and such funds may also be used in lieu of State funds to match unobligated balances of previous apportionments of regular Federal-aid appropriations.

Grants to State high-Limit. Vol. 42, p. 212.

Post, pp. 996, 1057.

Vol. 42, p. 217.

Matching of funds by States not required.

Provisions of con-tracts involving expen-diture of funds.

(c) All contracts involving the expenditure of such grants shall contain provisions establishing minimum rates of wages, to be predetermined by the State highway department, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals for bids for the work.

Limitations of Federal Highway Act not applicable.

(d) In the expenditure of such amounts, the limitations in the Federal Highway Act, approved November 9, 1921, as amended and supplemented, upon highway construction, reconstruction, and bridges within municipalities and upon payments per mile which

Terms construed. "State." "Highway." Vol. 42, p. 212.

may be made from Federal funds, shall not apply.

(e) As used in this section the term "State" includes the Territory of Hawaii and the District of Columbia. The term "highway" as defined in the Federal Highway Act approved November 9, 1921, as amended and supplemented, for the purposes of this section, shall be deemed to include such main parkways as may be designated by the State and approved by the Secretary of Agriculture as part of the Federal-aid highway system.

Agreement for rights of way over Federal property.

(f) Whenever, in connection with the construction of any highway project under this section or section 202 of this Act, it is necessary to acquire rights of way over or through any property or tracts of land owned and controlled by the Government of the United States, it shall be the duty of the proper official of the Government of the United States having control of such property or tracts of land with the approval of the President and the Attorney General of the United States, and without any expense whatsoever to the United

of Presi-Attorney dent and General.

Approval

States, to perform any acts and to execute any agreements necessary to grant the rights of way so required, but if at any time the land or the property the subject of the agreement shall cease to be used for the purposes of the highway, the title in and the jurisdiction over the land or property shall automatically revert to the Govern-

Reversion for non-

ment of the United States and the agreement shall so provide.

Tolls. Vol. 42, p. 214. Collection of of. thorized.

(g) Hereafter in the administration of the Federal Highway Act, au- and Acts amendatory thereof or supplementary thereto, the first paragraph of section 9 of said Act shall not apply to publicly owned toll bridges or approaches thereto, operated by the highway department of any State, subject, however, to the condition that all tolls Tolls to be applied to received from the operation of any such bridge, less the actual cost of operation and maintenance, shall be applied to the repayment of of operation and maintenance, shall be applied to the repayment of the cost of its construction or acquisition, and when the cost of its construction or acquisition shall have been repaid in full, such bridge thereafter shall be maintained and operated as a free bridge.

Condition.

Sec. 205. (a) Not less than \$50,000,000 of the amount made available by this Act shall be allotted for (A) national forest highways, (B) national forest roads, trails, bridges, and related projects, (C) national park roads and trails in national parks owned or authorized,

Amount available for

(D) roads on Indian reservations, and (E) roads through public lands, to be expended in the same manner as provided in paragraph (2) of section 301 of the Emergency Relief and Construction Act of 1932, in the case of appropriations allocated for such purposes,

national forest ways, trails, etc. National park roads. Roads on Indian

respectively, in such section 301, to remain available until expended.

(b) The President may also allot funds made available by this

reservations. Through nas. Expenditures Vol. 47, p. 717.

> Act for the construction, repair, and improvement of public highways in Alaska, the Canal Zone, Puerto Rico, and the Virgin Islands. Sec. 206. All contracts let for construction projects and all loans and grants pursuant to this title shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed on any such project; (2) that (except in executive, administrative,

Construction, Territories and Insular pos-

Contract provisions.

Convict labor. Thirty-hour week and supervisory positions), so far as practicable and feasible, no individual directly employed on any such project shall be permitted to work more than thirty hours in any one week; (3) that all employees shall be paid just and reasonable wages which shall be compensation sufficient to provide, for the hours of labor as limited, a standard of living in decency and comfort; (4) that in the employment of labor in connection with any such project, preference shall be given, where they are qualified, to ex-service men with dependents, and then in the following order: (A) To citizens of the United States and aliens who have declared their intention of becoming citizens, who are bona fide residents of the political subdivision and/or county in which the work is to be performed, and (B) to citizens of the United States and aliens who have declared their intention of becoming citizens, who are bona fide residents of the State, Territory, or district in which the work is to be performed: *Provided*, That these preferences shall apply only where such labor is available and qualification the work to which the employment relationship. (5) that the maximum of human labor shall be used in lieu of machinery wherever practicable and consistent with sound economy and public advantage.

SEC. 207. (a) For the purpose of expediting the actual construction of public works contemplated by this title and to provide a means of financial assistance to persons under contract with the United States to perform such construction, the President is authorized and empowered, through the Administrator or through such other agencies as he may designate or create, to approve any assignment executed by any such contractor, with the written consent of the surety or sureties upon the penal bond executed in connection with his contract, to any national or State bank, or his claim against the United States, or any part of such claim, under such contract; and any assignment so approved shall be valid for all purposes, not-withstanding the provisions of sections 3737 and 3477 of the Revised U.S.C., pp. 987, 1310

Statutes, as amended.

(b) The funds received by a contractor under any advances made in consideration of any such assignment are hereby declared to be ment to be trust funds. trust funds in the hands of such contractor to be first applied to the payment of claims of subcontractors, architects, engineers, surveyors, laborers, and material men in connection with the project, to the payment of premiums on the penal bond or bonds, and premiums accruing during the construction of such project on insurance policies taken in connection therewith. Any contractor and cation.

Penalty for misappilany officer, director, or agent of any such contractor, who applies, or consents to the application of, such funds for any other purpose and fails to pay any claim or premium hereinbefore mentioned, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

(c) Nothing in this section shall be considered as imposing upon the assignce any obligation to see to the proper application of the funds advanced by the assignee in consideration of such assignment.

SUBSISTENCE HOMESTEADS

SUBSISTENCE HOMESTEADS

SEC. 208. To provide for aiding the redistribution of the overbalance of population in industrial centers \$25,000,000 is hereby made of, authorized.

Loans for purchase or purchase of, authorized of authorized. available to the President, to be used by him through such agencies as he may establish and under such regulations as he may make, for making loans for and otherwise aiding in the purchase of subsistence homesteads. The moneys collected as repayment of said loans shall Repayments to con-

Wage scales.

Preferences.

Use of human labor.

Assignments by con-tractor authorized.

Approval required. Consent of sureties

Assignee not liable.

Subsistence home-Amount available.

constitute a revolving fund to be administered as directed by the President for the purposes of this section.

RULES AND REGULATIONS

Rules and regula-tions to be prescribed. Penalty for viola-

SEC. 209. The President is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this title, and any violation of any such rule or regulation shall be punishable by fine of not to exceed \$500 or imprisonment not to exceed six months, or both.

Issue of securities and sinking fund.

ISSUE OF SECURITIES AND SINKING FUND

Power of Secretary of Treasury to borrow. Vol. 40, p. 288.

Sec. 210. (a) The Secretary of the Treasury is authorized to borrow, from time to time, under the Second Liberty Bond Act, as amended, such amounts as may be necessary to meet the expenditures authorized by this Act, or to refund any obligations previously issued under this section, and to issue therefor bonds, notes, certificates of indebtedness, or Treasury bills of the United States.

Additional amount annually appropriated. Vol. 40, p. 1311.

(b) For each fiscal year beginning with the fiscal year 1934 there is hereby appropriated, in addition to and as part of, the cumulative sinking fund provided by section 6 of the Victory Liberty Loan Act, as amended, out of any money in the Treasury not otherwise appropriated, for the purpose of such fund, an amount equal to 2½ per centum of the aggregate amount of the expenditures made out of appropriations made or authorized under this Act as determined by the Secretary of the Treasury.

Reemployment and relief taxes

REEMPLOYMENT AND RELIEF TAXES

Revenue Act of 1932. Vol. 47, p. 266. Gasoline tax.

SEC. 211. (a) Effective as of the day following the date of the enactment of this Act, section 617 (a) of the Revenue Act of 1932 is amended by striking out "1 cent" and inserting in lieu thereof

Terms construed. "Benzol."

"1½ cents".

(b) Effective as of the day following the date of the enactment of this Act, section 617 (c) (2) of such Act is amended by adding at the end thereof a new sentence to read as follows: "As used in this paragraph the term 'benzol' does not include benzol sold for use otherwise than as a fuel for the propulsion of motor vehicles,

motor boats, or airplanes, and otherwise than in the manufacture or production of such fuel."

Sec. 212. Titles IV and V of the Revenue Act of 1932 are amended by striking out "1934" wherever appearing therein and by inserting in lieu thereof "1935". Section 761 of the Revenue Act of 1932 is further amended by striking out "and on July 1, 1933" and inserting in lieu thereof "and on July 1, 1933" and inserting in lieu thereof "and on July 1, 1933," and inserting in lieu thereof "and on July 1, 1934," in lieu thereof "and on July 1, 1933, and on July 1, 1934,".

Tax on dividends. Vol. 47, p. 178.

Sec. 213. (a) There is hereby imposed upon the receipt of dividends (required to be included in the gross income of the recipient under the provisions of the Revenue Act of 1932) by any person other than a domestic corporation, an excise tax equal to 5 per centum of the amount thereof, such tax to be deducted and withheld from such dividends by the payor corporation. The tax imposed by this section shall not apply to dividends declared before the date of the enactment of this Act.

Returns of withholding corporation.

(b) Every corporation required to deduct and withhold any tax under this section shall, on or before the last day of the month following the payment of the dividend, make return thereof and pay the tax to the collector of the district in which its principal place of business is located, or, if it has no principal place of business in the United States, to the collector at Baltimore, Maryland.

(c) Every such corporation is hereby made liable for such tax Liability of corporation hereby independent of the claims and described to the corporation. and is hereby indemnified against the claims and demands of any person for the amount of any payment made in accordance with the provisions of this section.

(d) The provisions of sections 115, 771 to 774, inclusive, and 1111 Provisions of Revenue Act of 1932, appliof the Revenue Act of 1932 shall be applicable with respect to the cable.

Vol. 47, pp. 203, 277,

tax imposed by this section.

(e) The taxes imposed by this section shall not apply to the dividends of any corporation enumerated in section 103 of the Revenue Act of 1932.

SEC. 214. Section 104 of the Revenue Act of 1932 is amended by Accumulation of surstriking out the words "the surtax" wherever occurring in such ternal-revenue tax. section and inserting in lieu thereof "any internal-revenue tax." Vol. 47, p. 177. section and inserting in lieu thereof "any internal-revenue tax." The heading of such section is amended by striking out "surtaxes" and inserting in lieu thereof "internal-revenue taxes." Section 13(c) of such Act is amended by striking out "surtax" and inserting in lieu thereof "internal-revenue tax."

SEC. 215. (a) For each year ending June 30 there is hereby imposed upon every domestic corporation with respect to carrying on or doing business for any part of such year an excise tax of \$1 for each \$1,000 of the adjusted declared value of its capital stock.

(b) For each year ending June 30 there is hereby imposed upon every foreign corporation with respect to carrying on or doing business in the United States for any part of such year an excise tax equivalent to \$1 for each \$1,000 of the adjusted declared value of capital employed in the transaction of its business in the United States.

(c) The taxes imposed by this section shall not apply—

(1) to any corporation enumerated in section 103 of the Revenue Act of 1932;

(2) to any insurance company subject to the tax imposed by

section 201 or 204 of such Act;

(3) to any domestic corporation in respect of the year ending June 30, 1933, if it did not carry on or do business during a part of the period from the date of the enactment of this Act to June 30, 1933, both dates inclusive; or

(4) to any foreign corporation in respect of the year ending June 30, 1933, if it did not carry on or do business in the United States during a part of the period from the date of the enactment

of this Act to June 30, 1933, both dates inclusive.

(d) Every corporation liable for tax under this section shall make tions. a return under oath within one month after the close of the year with respect to which such tax is imposed to the collector for the district in which is located its principal place of business or, if it has no principal place of business in the United States, then to the collector at Baltimore, Maryland. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector before the expiration of the period for filing the return. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 1 per centum a month from the time when the tax became due until paid. All provisions of law (including penalties) applicable in respect of the taxes imposed by section 600 of the Revenue Act of 1926 shall, in so far as not inconsistent with this section, be applicable in respect of the taxes imposed by this section. The Commissioner making returns may extend the time for making the returns and paying the taxes

289.

Dividends not taxed. Vol. 47, p. 193. Vol. 47, p. 195.

Tax on domestic corporations.

Post. p. 771.

Foreign corporations.

Corporations twhich not applicable. Vol. 47, p. 193.

Vol. 47, pp. 223, 225.

Contents.

When tax payable.

Interest rate, if not paid when due

Penalty provisions. Vol. 44, p. 93.

Extension of time for

Limit.

Inspection of returns,

Vol. 44, p. 10.

Adjusted declared

Subsequent years. Domestic corpora-

Adjusted declared value, foreign corpora-tions.

Meaning of terms.

Tax on net income of corporations. Computation of.

Post, p 771

Ante, p. 207. Meaning of terms.

Assessment and collection of taxes. Vol. 47, p. 173.

Proclamations. Revenues of United States exceed expendi-Post, p 1720.

imposed by this section, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than sixty days.

(e) Returns required to be filed for the purpose of the tax imposed by this section shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under title II of the Revenue Act of 1926.

(f) For the first year ending June 30 in respect of which a tax value. Computation of, first is imposed by this section upon any corporation, the adjusted declared value shall be the value, as declared by the corporation in its first return under this section (which declaration of value cannot be amended), as of the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section (or as of the date of organization in the case of a corporation having no income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section). For any subsequent year ending June 30, the adjusted declared value in the case of a domestic corporation shall be the original declared value plus (1) the cash and fair market value of property paid in for stock or shares, (2) paid-in surplus and contributions to capital, and (3) earnings and profits, and minus (A) the value of property distributed in liquidation to shareholders, (B) distributions of earnings and profits, and (C) deficits, whether operating or nonoperating; each adjustment being made for the period from the date as of which the original declared value was declared to the close of its last income tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section. For any subsequent year ending June 30, the adjusted declared value in the case of a foreign corporation shall be the original declared value adjusted, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, to reflect increases or decreases (for the period specified in the preceding sentence) in the capital employed in the transaction of its business in the United States.

(g) The terms used in this section shall have the same meaning

as when used in the Revenue Act of 1932.

Sec. 216. (a) There is hereby imposed upon the net income of every corporation, for each income-tax taxable year ending after the close of the first year in respect of which it is taxable under section 215, an excess-profits tax equivalent to 5 per centum of such portion of its net income for such income-tax taxable year as is in excess of 121/2 per centum of the adjusted declared value of its capital stock (or in the case of a foreign corporation the adjusted declared value of capital employed in the transaction of its business in the United States) as of the close of the preceding income-tax taxable year (or as of the date of organization if it had no preceding income-tax taxable year) determined as provided in section 215. The terms used in this section shall have the same meaning as when used

in the Revenue Act of 1932.

(b) The tax imposed by this section shall be assessed, collected, and paid in the same manner, and shall be subject to the same provi sions of law (including penalties), as the taxes imposed by title I of the Revenue Act of 1932.

SEC. 217. (a) The President shall proclaim the date of-

(1) the close of the first fiscal year ending June 30 of any year after the year 1933, during which the total receipts of the United States (excluding public-debt receipts) exceed its total expenditures (excluding public-debt expenditures other than those chargeable against such receipts), or

(2) the repeal of the eighteenth amendment to the Consti- Repeal of eighteenth amendment.

Post, p. 1720. tution,

whichever is the earlier.

(b) Effective as of the 1st day of the calendar year following the date so proclaimed section 617(a) of the Revenue Act of 1932, as amended, is amended by striking out "1½ cents" and inserting in lieu thereof "1 cent".

(c) The tax on dividends imposed by section 213 shall not apply to any dividends declared on or after the 1st day of the calendar

year following the date so proclaimed.

(d) The capital-stock tax imposed by section 215 shall not apply p. Ante, p. 207; post, to any taxpayer in respect of any year beginning on or after the 1st day of July following the date so proclaimed.

(e) The excess-profits tax imposed by section 216 shall not apply p Ante, p. 208; post, to any taxpayer in respect of any taxable year after its taxable year

during which the date so proclaimed occurs.

SEC. 218. (a) Effective as of January 1, 1933, sections 117, 23(i), Sections repealed. Vol. 47, pp. 180, 207, 193, 187, and 205 of the Revenue Act of 1932 are repealed. 222, 223, 227. 169, 187, and 205 of the Revenue Act of 1932 are repealed.

(b) Effective as of January 1, 1933, section 23(r)(2) of the Revenue Act of 1932 is repealed.

(c) Effective as of January 1, 1933, section 23(r)(3) of the Revenue Act of 1932 is amended by striking out all after the word "Ter-

ritory" and inserting a period.

(d) Effective as of January 1, 1933, section 182(a) of the Revenue Act of 1932 is amended by inserting at the end thereof a new sentence

as follows: "No part of any loss disallowed to a partnership as a deduction by section 23(r) shall be allowed as a deduction to a vol. 47, p. 183 member of such partnership in computing net income."

(e) Effective as of January 1, 1933, section 141(c) of the Revenue Consolidated Act of 1932 is amended by striking out "except that for the taxable of corporations. years 1932 and 1933 there shall be added to the rate of tax prescribed by sections 12(a) 201(b) and 204(a) a rate of three fourths. scribed by sections 13(a), 201(b), and 204(a), a rate of three fourths of 1 per centum" and inserting in lieu thereof the following: "except that for the taxable years 1932 and 1933 there shall be added to the rate of tax prescribed by sections 13(a), 201(b), and 204(a), a rate of three fourths of 1 per centum and except that for the taxable years 1934 and 1935 there shall be added to the rate of tax prescribed by sections 13(a), 201(b), and 204(a), a rate of 1 per centum".

(f) No interest shall be assessed or collected for any period prior to September 15, 1933, upon such portion of any amount determined tember 15, 1933. as a deficiency in income taxes as is attributable solely to the amendments made to the Revenue Act of 1932 by this section.

(g) In cases where the effect of this section is to require for a Time for ma turn hereunder taxable year ending prior to June 30, 1933, the making of an incometax return not otherwise required by law, the time for making the return and paying the tax shall be the same as if the return was for a fiscal year ending June 30, 1933.

(h) Section 55 of the Revenue Act of 1932 is amended by inserting amendment.

From the period at the end thereof a semicolon and the following: Vol. 47, p. 189.

For all returns made under this Act after the date of enactment.

Inspection of returns. before the period at the end thereof a semicolon and the following: "and all returns made under this Act after the date of enactment of the National Industrial Recovery Act shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules and regulations promulgated by the President"

Sec. 219. Section 500 (a) (1) of the Revenue Act of 1926, as p. 863.

Amended, is amended by striking out the period at the end of the and dues.

Tax on admissions second sentence thereof and inserting in lieu thereof a comma and the following: "except that no tax shall be imposed in the case of persons admitted free to any spoken play (not a mechanical repro-

Tax reductions. Vol. 47, p. 266.

Ante, p. 206.

Vol. 47, p. 183,

Section amended. Vol. 47, p. 183.

Vol. 47, p. 222.

Vol. 47, p. 183.

Vol. 47, p. 213. Consolidated returns

Assessment, etc., of attrest prior to Sep-

Time for making re-

86637°-34---14

duction), whether or not set to music or with musical parts or accompaniments, which is a consecutive narrative interpreted by a single set of characters, all necessary to the development of the plot, in two or more acts, the performance consuming more than 1 hour and 45 minutes of time."

APPROPRIATION

Appropriations. Post, pp. 275, 1055.

Amount. Allocation.

Agricultural Adjust-ment Act. Ante, p. 34.

March 1, 1936.

Information pertaining to administration of Act.

TITLE III—AMEND-MENTS TO EMERGENCY RELIEF AND CONSTRUC-TION ACT—MISCELLANE-OUS PROVISIONS

Applications for loans to Reconstruction Fi-nance Corporation. Vol. 47, p. 711. Administrator to

Proviso. of funds to borrower.

poration. Vol. 47, p. 9.

Sec. 220. For the purposes of this Act, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,300,000,000. The President is authorized to allocate so much of said sum, not in excess of \$100,000,000, as he may determine to be necessary for expenditures in carrying out the Agricultural Adjustment Act and the purposes, powers, and functions heretofore and hereafter conferred upon the Farm Credit Administration.

Sec. 221. Section 7 of the Agricultural Adjustment Act, approved

May 12, 1933, is amended by striking out all of its present terms and provisions and substituting therefor the following:

Cotton sales.

Provisos:

Total disposition by discretion, but subject to the foregoing provisions: Provided, That he shall dispose of all cotton held by march 1, 1936: Provided

Only 12, 1933, is amended by striking out all of its present terms and provisions and substituting therefore the following:

"Sec. 7. The Secretary shall sell the cotton held by him at his discretion, but subject to the foregoing provisions: Provided, That he shall dispose of all cotton held by him by March 1, 1936: Provided Option contracts of further, That notwithstanding the provisions of section 6, the Secsale authorized. retary shall have authority to enter into option contracts with producers of cotton to sell to the producers such cotton held by him, in such amounts and at such prices and upon such terms and conditions

as the Secretary may deem advisable, in combination with rental or benefit payments provided for in part 2 of this title.

"Notwithstanding any provisions of existing law, the Secretary of Agriculture may in the administration of the Agricultural Adjustment Act make public such information as he deems necessary in order to effectuate the purposes of such Act."

TITLE III—AMENDMENTS TO EMERGENCY RELIEF AND CONSTRUCTION ACT AND MISCELLANEOUS PROVISIONS

Section 301. After the expiration of ten days after the date upon which the Administrator has qualified and taken office, (1) no application shall be approved by the Reconstruction Finance Cor-Administrator to have access to files, etc. poration under the provisions of subsection (a) of section 201 of the Emergency Relief and Construction Act of 1932, as amended, and (2) the Administrator shall have access to all applications, files, and records of the Reconstruction Finance Corporation relating to loans and contracts and the administration of funds under such subsection: Provided, That the Reconstruction Finance Corporation may issue funds to a borrower under such subsection (a) prior to January 23, 1939, under the terms of any agreement or any commitment to bid upon or purchase bonds entered into with such borrower pursuant to an application approved prior to the date of termination, under this section, of the power of the Reconstruction Finance Corporation to approve applications.

DECREASE OF BORROWING POWER OF RECONSTRUCTION FINANCE CORPORATION

Decrease of borrow-ing power of Recon-struction Finance Cor-SEC. 302. The amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 9 of the Reconstruction Finance Corporation Act, as amended, to have outstanding at any one time is decreased by \$400,000,000.

SEPARABILITY CLAUSE

Sec. 303. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Separability clause.

SHORT TITLE

Sec. 304. This Act may be cited as the "National Industrial Recovery Act."

Approved, June 16, 1933, 11:55 a.m.

[CHAPTER 91.]

AN ACT

To relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amendea.

June 16, 1933. [S. 1580.] [Public, No. 68.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Railroad Transportation Act, 1933."

Emergency Railroad Transportation Act, 1933.

TITLE I—EMERGENCY POWERS

TITLE I-Emergency

Section 1. As used in this title—

(a) The term "Commission" means the Interstate Commerce Commission.

"Commission." "Coordinator"

Definitions.

(b) The term "Coordinator" means the Federal Coordinator of

Transportation hereinafter provided for.
(c) The term "committee" means any one of the regional coordi-

"Committee." "Carrier."

nating committees hereinafter provided for.
(d) The term "carrier" means any common carrier by railroad subject to the provisions of the Interstate Commerce Act, as amended,

including any receiver or trustee thereof.

(e) The term "subsidiary" means any company which is directly or indirectly controlled by, or affiliated with, any carrier or carriers. For the purpose of the foregoing definition a company shall be deemed to be affiliated with a carrier if so affiliated within the meaning of paragraph (8) of section 5 of the Interstate Commerce Act,

as amended by this Act.

"Subsidiary."

"Employee"

(f) The term "employee" includes every person in the service of a carrier (subject to its continuing authority to supervise and direct the manner of rendition of his service) who performs any work defined as that of an employee or subordinate official in accordance with the provisions of the Railway Labor Act.

(g) The term "State commission" means the commission, board, or official, by whatever name designated, exercising power to regulate the rates or service of common carriers by railroad under the laws of

any State.

Sec. 2. In order to foster and protect interstate commerce in relation to railroad transportation by preventing and relieving obstructions and burdens thereon resulting from the present acute economic emergency, and in order to safeguard and maintain an adequate national system of transportation, there is hereby created the office of rederal of Federal Coordinator of Transportation, who shall be appointed by portation; created. the President, by and with the advice and consent of the Senate, or be designated by the President from the membership of the Commission. If so designated, the Coordinator shall be relieved from other duties as Commissioner during his term of service to such extent as the

"State commission."

Objects of title de-clared.

Powers and duties of

Appointment of assistants

Location, office. etc.

Compensation; striction.

Coordinator to divide carriers into three regional groups. Post, p. 974.

Selection by carriers; rules governing opera

Vote.

Notice of meetings,

Removals and va-

Purposes of title.

Avoid unnecessary duplication, etc., joint use of tracks and terminals.

Promote economies. Financial reorganization of carriers

Not to serve on Com- President may direct; except that the Coordinator shall not sit as a mission of review. member of the Commission in any proceedings for the review or suspension of any order issued by him as Coordinator. The Coordinafor shall have such powers and duties as are hereinafter set forth and prescribed, and may, with the approval of the President, and without regard to the civil service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such assistants and agents, in addition to the assistance provided by the Commission, as may be necessary to the performance of his duties under this Act. The office of the Coordinator shall be in Washington, District of Columbia, and the Commission shall provide such office space, facilities, and assistance as he may request and it is able to furnish. The Coordinator shall receive such compensation as the President shall fix, except that if designated from the Commission, he shall receive no compensation in addition to that which he receives as a member of the Commission.

Sec. 3. The Coordinator shall divide the lines of the carriers into three groups, to wit, an eastern group, a southern group, and a western group, and may from time to time make such changes or subdivisions in such groups as he may deem to be necessary or desirable. At the earliest practicable date after the Coordi-Regional coordinating committees to be corrected.

Membership.

Regional coordinating committees shall be created, one for each group, and coordinating committees shall be created, one for each group, and coordinating committees shall be created. each committee shall consist of five regular members and two special The carriers in each group, acting each through its board of directors or its receiver or receivers or trustee or trustees or through an officer or officers designated for the purpose by such board, shall select the regular members of the committee representing that group, and shall prescribe the rules under which such committee Railroad system lim-shall operate; but no railroad system shall have more than one representative on any such committee. In such selection each carrier shall have a vote in proportion to its mileage lying within the Selection of two special members; to represent steam and electric railroads.

Selection of two special members of each committee shall be
selected in such manner as the Coordinator may approve, one to selected in such manner as the Coordinator may approve, one to represent the steam railroads within the group which had in 1932 railway operating revenues of less than \$1,000,000 and the other to represent electric railways within the group not owned by a steam railroad or operated as a part of a general steam railroad system of transportation. Each such special member shall have reasonable notice of all meetings of his committee at which any matter affecting any carrier which he represents is to be considered, and may participate in the consideration and disposition of such matter. Members of the committees may be removed

from office and vacancies may be filled in like manner.

Sec. 4. The purposes of this title are (1) to encourage and promote or require action on the part of the carriers and of subsidiaries subject to the Interstate Commerce Act, as amended, which will (a) avoid unnecessary duplication of services and facilities of whatsoever nature and permit the joint use of terminals and trackage incident thereto or requisite to such joint use: Provided, That no Proviso.

Restriction on elimirates now existing shall be eliminated except with the consent of nating existing routes.

Control allowances all participating lines or upon order of the Coordinator, (b) control and accessorial services, allowances accessorial services and the charges therefor, and other allowances, accessorial services and the charges therefor, and other practices affecting service or operation, to the end that undue impairment of net earnings may be prevented, and (c) avoid other wastes and preventable expense; (2) to promote financial reorganization of the carriers, with due regard to legal rights, so as to reduce fixed charges to the extent required by the public interest and improve carrier credit; and (3) to provide for the immediate study of conditions transstudy of other means of improving conditions surrounding trans- portation. portation in all its forms and the preparation of plans therefor.

Sec. 5. It shall be the duty of the committees on their own initiabe executed by regional tive, severally within each group and jointly where more than one committees, etc. group is affected, to carry out the purposes set forth in subdivision (1) of section 4, so far as such action can be voluntarily accomplished by the carriers. In such instances as the committees are nator when committee unable, for any reason, legal or otherwise, to carry out such purposes by such voluntary action, they shall recommend to the Coordinate poses by such voluntary action, they shall recommend to the Coordinate poses. dinator that he give appropriate directions to the carriers or subsidiaries subject to the Interstate Commerce Act, as amended, by order; and the Coordinator is hereby authorized and directed to issue and enforce such orders if he finds them to be consistent with the public interest and in furtherance of the purposes of this title.

mittees and give them the benefit of his advice and assistance. ences.

At his request, the committees the assistance. Sec. 6. (a) The Coordinator shall confer freely with the com-At his request, the committees, the carriers, the subsidiaries, and the Commission shall furnish him, or his assistants and agents, such information and reports as he may desire in investigating any matter within the scope of his duties under this title; and the Coordinator, his assistants, and agents, and the Commission, shall at all times have Access to accounts, access to all accounts, records, and memoranda of the carriers and ress. subsidiaries. If, in any instance, a committee has not acted with respect to any matter which the Coordinator has brought to its on his own initiative, attention and upon which he is of the opinion that it should have if committee fails. attention and upon which he is of the opinion that it should have acted, under the provisions of section 5, he is hereby authorized and directed to issue and enforce such order, giving appropriate directions to the carriers and subsidiaries subject to the Interstate Commerce Act, as amended, with respect to such matter, as he shall find to be consistent with the public interest.

(b) Insofar as may be necessary for the purposes of this title, commission the Commission and the members and examiners thereof shall have the same power to administer oaths and require by subpena the attendance and testimony of witnesses and the production of books etc. books, papers, tariffs, contracts, agreements, and documents and to take testimony by deposition relation to take testimony by deposition relation to the contracts. take testimony by deposition, relating to any matter under investigation, as though such matter arose under the Interstate Commerce Act, as amended and supplemented; and any person subpensed or testifying in connection with any matter under investigation under this title shall have the same rights, privileges, and immunities and be subject to the same duties, liabilities, and penalties as are provided in the case of persons subpensed or testifying in connection with any matter under investigation under the Interstate

Commerce Act, as amended.

Sec. 7. (a) A labor committee for each regional group of car-Labor committees; selection. riers may be selected by those railroad labor organizations which, as representatives duly designated and authorized to act in accord- Railway izbor organizations to represent. ance with the requirements of the Railway Labor Act, entered into the agreements of January 31, 1932, and December 21, 1932, with duly authorized representatives of the carriers, determining the wage mittee for each regional group of carriers may be selected by such tions. Committee to retresent other organizations. authorized to represent employees in accordance with the requirements of the Railway Labor Act. It shall be the duty of the regional coordinating committees and the Coordinator to give reasonable notice to, and to confer with, the appropriate regional labor committee or committees upon the subject matter prior to taking any

Post, p. 216.

Ante, p. 212.

Reports, etc., to be submitted.

Proceedings before

Attendance of wit-

Penalty provisions.

Vol. 44, p 577.

Labor conferences.

Notice to regional labor committee

death, etc.

action or issuing any order which will affect the interest of the employees, and to afford the said labor committee or committees reasonable opportunity to present views upon said contemplated action or order.

Reduction in num-ber of employees re-stricted.

(b) The number of employees in the service of a carrier shall not be reduced by reason of any action taken pursuant to the authority of this title below the number as shown by the pay rolls of employees in service during the month of May, 1933, after deducting the number who have been removed from the pay rolls after the effective date of this Act by reason of death, normal retirements, or resignavacancies caused by tion, but not more in any one year than 5 per centum of said number in service during May, 1933; nor shall any employee in such service be deprived of employment such as he had during said month of May or be in a worse position with respect to his compensation for such employment, by reason of any action taken pursuant to the authority conferred by this title.

Regional boards of adjustment, establish-

(c) The Coordinator is authorized and directed to establish regional boards of adjustment whenever and wherever action taken pursuant to the authority conferred by this title creates conditions that make necessary such boards of adjustment to settle controversies between carriers and employees. Carriers and their employees shall have equal representation on such boards of adjustment for settlement of such controversies, and said boards shall exercise the functions of boards of adjustment provided for by the

Equality of representation, etc.

Railway Labor Act.
(d) The Coordinator is authorized and directed to provide means Carriers to pay property losses of employees incident to transfers of for determining the amount of, and to require the carriers to make just compensation for, property losses and expenses imposed upon employees by reason of transfers of work from one locality to another

in carrying out the purposes of this title. (e) Carriers, whether under control of a judge, trustee, receiver, or private management, shall be required to comply with the provisions of the Railway Labor Act and with the provisions of section 77, paragraphs (o), (p), and (q), of the Act approved March 3, 1933, vol 44, p. 577; Vol. 47, entitled "An Act to amend an Act entitled 'An Act to establish a p. 1481. uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto."

Compliance with Railway Labor and Bankruptcy Acts by carriers required.

Orders of Coordina-tor to be made public.

Effective date, etc.

ments, etc.

SEC. 8. Any order issued by the Coordinator pursuant to this title shall be made public in such reasonable manner as he may determine and shall become effective as of such date, not less than twenty days from the date of such publication, as the Coordinator shall prescribe in the order; and such order shall remain in effect until it is vacated by him or suspended or set aside by the Commission or other lawful authority, as hereinafter provided, and such order may include provision for the creation and administration of such just pooling arrangements or for such just compensation for the use of property or for carrier services as he may deem necessary or desirable and in furtherance of the purposes of this title.

Appeals to Commis-

SEC. 9. Any interested party, including, among others, any carrier, subsidiary, shipper, or employee, or any group of carriers, shippers, or employees, or any State commission, or the Governor of any State, or the official representative or representative of any political subdivision thereof, dissatisfied with any order of the Coordinator may, at any time prior to the effective date of the order, file a petition with the Commission asking that such order be reviewed and suspended pending such review, and stating fully the reasons therefor. Such petitions shall be governed by such general rules as the Commission may establish. If the Commission, upon considering such

Rules governing.

petition and any answer or answers thereto, finds reason to believe that the order may be unjust to the petitioner or inconsistent with the public interest, the Commission is hereby authorized to grant such review and, in its discretion, the Commission may suspend the order if it finds immediate enforcement thereof would result in order. irreparable damage to the petitioner or work grave injury to the public interest, but if the Commission suspends an order, it shall expedite the hearing and decision on that order as much as possible. Thereupon the Commission shall, after due notice and a public hearing, review the order and take such action in accord with the purposes of this title as it finds to be just and consistent with the public interest, either confirming the order or setting it aside or reissuing it in modified form, and any order so confirmed or reissued shall thereafter remain in effect until vacated or modified by the Commission.

Review by commis-ion; suspension of

Sec. 10. (a) The carriers or subsidiaries subject to the Interstate Suspension of Commerce Act, as amended, affected by any order of the Coordinator Vol. 38, p. 730. or Commission made pursuant to this title shall, so long as such order is in effect, be, and they are hereby, relieved from the operation of the antitrust laws, as designated in section 1 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, and of all other restraints or prohibitions by law, State or Federal, other than such as are for the protection of the public health or safety, in so far as may be necessary to enable them to do anything health or safety except authorized or required by such order made pursuant to this title:

Provided, however, That nothing herein shall be construed to repeal,

Provise.

Provise. amend, suspend, or modify any of the requirements of the Railway Railway Labor Labor Act or the duties and obligations imposed thereunder or Vol 44, p. 577. through contracts entered into in accordance with the provisions of said Act.

Suspension of the

(b) The Coordinator shall issue no order which shall have the of intention to State effect of relieving any carrier or subsidiary from the operation of the carrier from operation law of any State or of any order of any State commission until he has advised the State commission of said State, or the Governor of said State if there be no such commission, that such order is in contemplation, and shall afford the State commission or Governor so notified reasonable opportunity to present views and information bearing upon such contemplated order, nor unless such order is

necessary, in his opinion, to prevent or remove an obstruction to or a burden upon interstate commerce.

Proriso. Railway Labor Act

Sec. 11. Nothing in this title shall be construed to relieve any Prior contractual carrier from any contractual obligation which it may have assumed, in force. prior to the enactment of this Act, with regard to the location or

maintenance of offices, shops, or roundhouses at any point.

Hearings.

or of any officer or employee of any carrier or subsidiary violation of Coordinator or of the Commission made pursuant to this title shall be a misdement of subsidiary to comply nator's, etc., order. viction thereof the carrier, subsidiary, or person offending shall be subject to a fine of not less than \$1,000 or more than \$20,000 for each offense, and each day during which such carrier, subsidiary, offense or person shall willfully fail or refuse to comply with the terms of such order shall constitute a separate offense. It shall be the produty of any district attorney of the United States to whom the Coordinator or the Commission may apply to institute in the proper court and to prosecute under the direction of the Attorney General of the United States all necessary proceedings for the enforcement of the provisions of this title and for the punishment

Penalty. Each day a separate

Prosecution proceed-

Study of means of improvement, etc.. to be made.

Transmission to President, etc.

Expenses of Coordi-Ante, p. 211.

ssments on carriers.

tion.

Post, p. 954.

Post, p. 217.

Prorata return of any ments. halance.

Loans to carriers denied when financial re-organization essential. Vol. 47, p. 7.

Proviso.
"Carrier" not to "include receiver, etc.
Court review of or-

Venue of suits on orders of Coordinator or Commission. Vol. 38, p. 219, 38, amended.

Payment of expenses. of all violations thereof, and the costs and expenses of such prosecution shall be paid out of the appropriation for the expense of the Employee's right to refuse to render services, etc.

tion shall be paid out of the appropriation for the expense of the courts of the United States: Provided, That nothing in this title shall be construed to require any employee or officer of any carrier to render labor or services without his consent. to render labor or service without his consent, or to authorize the issuance of any orders requiring such service, or to make illegal the failure or refusal of any employee individually, or any number of

employees collectively, to render labor or services.

SEC. 13. It shall further be the duty of the Coordinator, and he is hereby authorized and directed, forthwith to investigate and consider means, not provided for in this title, of improving transportation conditions throughout the country, including cost finding in rail transportation and the ability, financial or otherwise, of the carriers to improve their properties and furnish service and charge rates which will promote the commerce and industry of the country and including, also, the stability of railroad labor employment and Recommendations to other improvement of railroad labor conditions and relations; and from time to time he shall submit to the Commission such recommendations calling for further legislation to these ends as he may deem necessary or desirable in the public interest. The Commission shall promptly transmit such recommendations, together with its comments thereon, to the President and to the Congress.

Sec. 14. The expenses of the Coordinator except so far as they are borne by the Commission in accordance with the provisions of section 2, but not including the expenses of the coordinating committees, shall be allowed and paid, on the presentation of itemized Fund, obtained from vouchers therefor approved by the Coordinator, out of a fund obtained from assessments on the carriers, and said fund is hereby appropriated for the payment of such expenses. It shall be the Basis of computed duty of each carrier, within thirty days after the date of enactment of this Act, to pay into this fund, for the first year of the operation of this title, one and one-half dollars for every mile of road operated by it on December 31, 1932, as reported to the Commission, and to pay into said fund within thirty days after the expiration of such year a proportional amount covering any period of extension of this title by proclamation of the President under section 17, and it shall be the duty of the Secretary of the Treasury to collect such assessments. Any amount remaining in the fund when this title ceases to have effect shall be returned by the Secretary of the Treasury to the etc., provided Coordinator, assistants, etc.

Yol. 35, p. 60, waived.

Commerce Act, as amended, to the contrary notwithstanding, to provide free transportation and other carrier service to the Coordinator and his assistants and agents and to the employees of the Commission when engaged in the service of the Coordinator.

Sec. 15. The Commission shall not approve a loan to a carrier under the Reconstruction Finance Corporation Act, as amended, if it is of the opinion that such carrier is in need of financial reorganization in the public interest: Provided, however, That the term carrier" as used in this section shall not include a receiver or trustee.

SEC. 16. Any final order made under this title shall be subject to the same right of relief in court by any party in interest as is now provided in respect to orders of the Commission made under the Interstate Commerce Act, as amended. The provisions of the Urgent Deficiencies Appropriation Act of October 22, 1913 (38 Stat.L. ^{219,} 219), shall be applicable to any proceeding in court brought to suspend or set aside any order of the Coordinator or of the Commission entered pursuant to the provisions of this title.

SEC. 17. This title shall cease to have effect at the end of one year SEC. 17. This title shall cease to have effect at the end of one year Duration of title. Extension by procafter the effective date, unless extended by a proclamation of the lamation. President for one year or any part thereof, but orders of the Coordinator or of the Commission made thereunder shall continue in effect until vacated by the Commission or set aside by other lawful author-orders. ity, but notwithstanding the provisions of section 10 no such order shall operate to relieve any carrier from the effect of any State law or of any order of a State commission enacted or made after this title ceases to have effect.

Post, p. 1740.

TITLE II—AMENDMENTS TO INTERSTATE COMMERCE COMMERCE COMMERCE ACT amendments.

Section 201. Section 5 of the Interstate Commerce Act, as amended (U.S.C., title 49, sec. 5), is amended by striking out paragraphs (2) and (3) and by renumbering paragraphs (4) and (5) as paragraphs (2) and (3), respectively, and by striking out the last sentence of the paragraph so renumbered as paragraph (3).

Sec. 202. Such section 5 is further amended by striking out solidation, paragraphs (6), (7), and (8), and by inserting in lieu thereof the

following paragraphs:

"(4) (a) It shall be lawful, with the approval and authorization of the Commission, as provided in subdivision (b), for two or more carriers to consolidate or merge their properties, or any part thereof, into one corporation for the ownership, management, and operation of the properties theretofore in separate ownership; or for any carrier, or two or more carriers jointly, to purchase, lease, or contract to operate tract to operate the properties, or any part thereof, of another; or another properties. for any carrier, or two or more carriers jointly, to acquire control Acquire control of another through purchase of its stock; or for a corporation which stock. is not a carrier to acquire control of two or more carriers through Holding companies, ownership of their stock; or for a corporation which is not a carrier and which has control of one or more carriers to acquire control of another carrier through ownership of its stock.

"(b) Whenever a consolidation, merger, purchase, lease, operating Application for aucontract, or acquisition of control is proposed under subdivision (a), Commission. the carrier or carriers or corporation seeking authority therefor shall present an application to the Commission, and thereupon the Commission shall notify the Governor of each State in which any part of States, etc. of the properties of the carriers involved in the proposed transaction is situated, and also such carriers and the applicant or applicants, of the time and place for a public hearing. If after such hearing mony with Commisten Commission finds that, subject to such terms and conditions and lic interest. such modifications as it shall find to be just and reasonable, the proposed consolidation, merger, purchase, lease, operating contract, or acquisition of control will be in harmony with and in furtherance of the plan for the consolidation of railway properties established pursuant to paragraph (3), and will promote the public interest, it may enter an order approving and authorizing such consolidation, merger, purchase, lease, operating contract, or acquisition of control, tions. upon the terms and conditions and with the modifications so found to be just and reasonable.

"(5) Whenever a corporation which is not a carrier is authorized, Illolding company control of any acquiring control of by an order entered under paragraph (4), to acquire control of any carriers. carrier or of two or more carriers, such corporation thereafter shall, to the extent provided by the Commission, for the purposes of paragraphs (1) to (10), inclusive, of section 20 (relating to reports, super mission, accounts, and so forth, of carriers), including the penalties applicable in the case of violations of such paragraphs, be considered as

Vol. 24, p. 380. U. S. C., p. 1655.

con

Mergers authorized.

Terms and condi-

Supervision of Com-

As to issues of securities, liabilities, etc.

To be treated as a "carrier."

Assumption of obli

Control or manage-ment unification of two or more carriers.

"Control or management", construed.

Transactions deemed effecting control management

"Affiliated person", defined.

Immaterial whether references to control relate to direct or indirect

Control construed.

Investigations thorized.

a common carrier subject to the provisions of this Act, and for the purposes of paragraphs (2) to (11), inclusive, of section 20a (relating to issues of securities and assumptions of liability of carriers), including the penalties applicable in the case of violations of such paragraphs, be considered as a 'carrier' as such term is defined in paragraph (1) of such section, and be treated as such by the Commission in the administration of the paragraphs specified. In the application of such provisions of section 20a in the case of any such corporation the Commission shall authorize the issue or assumption applied for only if it finds that such issue or assumption is consistent with the proper performance by each carrier which is under the control of such corporation of its service to the public as a common carrier, will not impair the ability of any such carrier to perform such service, and is otherwise compatible with the public interest.

"(6) It shall be unlawful for any person, except as provided in paragraph (4), to accomplish or effectuate, or to participate in accomplishing or effectuating, the control or management in a common interest of any two or more carriers, however such result is attained, whether directly or indirectly, by use of common directors, officers, or stockholders, a holding or investment company or companies, a voting trust or trusts, or in any other manner whatsoever. It shall be unlawful to continue to maintain control or management accomplished or effectuated after the enactment of this amendatory paragraph and in violation of its provisions. As used in this paragraph and paragraph (7), the words 'control or management' shall be construed to include the power to exercise control or management.

"(7) For the purposes of paragraphs (6) and (11), but not in anywise limiting the application thereof, any transaction shall be

deemed to accomplish or effectuate the control or management in a common interest of two carriers-

"(a) If such transaction is by a carrier, and if the effect of such transaction is to place such carrier and persons affiliated with it, taken together, in control of another carrier.

"(b) If such transaction is by a person affiliated with a carrier, and if the effect of such transaction is to place such carrier and persons affiliated with it, taken together, in control of another carrier.

"(c) If such transaction is by two or more persons acting together. one of whom is a carrier or is affiliated with a carrier, and if the effect of such transaction is to place such persons and carriers and persons affiliated with any one of them and persons affiliated with any such affiliated carrier, taken together, in control of another carrier.

"(8) For the purposes of paragraph (7) a person shall be held to be affiliated with a carrier if, by reason of the relationship of such person to such carrier (whether by reason of the method of, or circumstances surrounding organization or operation, or whether established through common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or any other direct or indirect means), it is reasonable to believe that the affairs of any carrier of which control may be acquired by such

person will be managed in the interest of such other carrier.

"(9) For the purposes of paragraphs (6), (7), (8), and (11), wherever reference is made to control it is immaterial whether such control is direct or indirect. As used in this paragraph and paragraphs (7), (8), and (11) the term 'control' shall be construed to include the power to exercise control.

"(10) The Commission is hereby authorized, upon complaint or upon its own initiative without complaint, but after notice and hearing, to investigate and determine whether any person is violating

the provisions of paragraph (6). If the Commission finds after such Commission to order discontinuance of vioinvestigation that such person is violating the provisions of such lations. paragraph, it shall by order require such person to take such action as may be necessary, in the opinion of the Commission, to prevent continuance of such violation.

continuance of such violation.

"(11) For the proper protection and in furtherance of the plan control, interfering for the consolidation of railway properties established pursuant to paragraph (3) and the regulation of interstate commerce in accordance to be investigated. ance therewith, the Commission is hereby authorized, upon complaint or upon its own initiative without complaint, but after notice and hearing, to investigate and determine whether the holding by any person of stock or other share capital of any carrier (unless acquired with the approval of the Commission) has the effect (a) of subjecting such carrier to the control of another carrier or to common control with another carrier, and (b) of preventing or hindering the carrying out of any part of such plan or of impairing the independence, one of another, of the systems provided for in such plan. If the Commission finds after such investigation that such Restricting has the effects described, it shall by order provide for stock. restricting the exercise of the voting power of such person with respect to such stock or other share capital (by requiring the deposit thereof with a trustee, or by other appropriate means) to the extent necessary to prevent such holding from continuing to have such

the Commission, or of any proceeding before a court in enforcement ceeding in certain cases. of an order entered by the Commission under this section before of an order entered by the Commission under this section, it appears that since the beginning of such proceeding the plan for consolida-tion has been reopened under paragraph (3) for changes or modifications with respect to the allocation of the properties of any carrier involved in such proceeding, then such proceeding may be suspended.

Restricting voting ower of controlling

"(13) The district courts of the United States shall have jurisdiction upon the application of the Commission, alleging a violation of any of the provisions of this section or disobedience of any order issued by the Commission thereunder by any person, to issue such writs of injunction or other proper process, mandatory or otherwise, as may be necessary to restrain such person from violation of such provision or to compel obedience to such order.

Jurisdiction of dis-trict courts.

"(14) The Commission may from time to time, for good cause shown, make such orders, supplemental to any order made under paragraph (1), (4), (10), or (11), as it may deem necessary or

Supplemental orders authorized.

appropriate.

"(15) The carriers and any corporation affected by any order Carriers affected remade under the foregoing provisions of this section shall be, and of antitrust laws.

Vol. 38, p. 730. they are hereby, relieved from the operation of the antitrust laws as designated in section 1 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes, approved October 15, 1914, and of all other restraints or prohibitions by or imposed under authority of law, State or Federal, insofar as may be necessary to enable them to do anything authorized or required by such order.

"(16) If any provision of the foregoing paragraphs of this section, or the application thereof to any person or circumstances, is held sions invalid, the other provisions of such paragraphs, and the application of such provision to any other person or circumstances, shall not be affected thereby.

Separability provi-

"(17) As used in paragraphs (4) to (16), inclusive, the term 'person' includes an individual, partnership, association, joint-stock

"Person" defined.

"Carrier."

Designated paragraphs renumbered.
Vol. 42, p. 27.
U.S.C., p. 1655.

Interstate Commerce

Vol. 41, p. amended. U.S.C., p. 1663. "Rates" defined.

Fair return for car-riers; factors in determining.

Sums heretofore paid by carriers to Commission under section 15a
(6) to be returned
U.S.C., p. 1663

Liquidation of general railroad contingent fund.

Distribution among

Tax liabilities for periods after February 28, 1920; computation

Sums excluded from

Distributions included.

Restriction on affect

company, or corporation, and the term 'carrier' means a carrier by railroad subject to this Act."

Sec. 203. Such section 5 is further amended by renumbering as paragraph (18) the paragraph added by the Act entitled "An Act to amend section 407 of the Transportation Act of 1920", approved June 10, 1921, and by renumbering the remaining three paragraphs

as paragraphs (19), (20), and (21), respectively.

Sec. 204. The provisions of the Interstate Commerce Act, as Act. Provisions, as amended, and of all other applicable Federal statutes, as in force amended, to remain in prior to the enactment of this title, shall remain in force, as though this title had not been enacted, with respect to the acquisition by any carrier, prior to the enactment of this title, of the control of any other carrier or carriers.

Sec. 205. Section 15a of the Interstate Commerce Act, as amended (U.S.C., title 49, sec. 15a), is amended to read as follows:

"Sec. 15a. (1) When used in this section, the term 'rates' means rates, fares, and charges, and all classifications, regulations, and practices relating thereto.

"(2) In the exercise of its power to prescribe just and reasonable rates the Commission shall give due consideration, among other factors, to the effect of rates on the movement of traffic; to the need, in the public interest, of adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable the carriers, under honest, economical, and efficient management, to provide such service.

Sec. 206. (a) All moneys which were recoverable by and payable to the Interstate Commerce Commission, under paragraph (6) of section 15a of the Interstate Commerce Act, as in force prior to the enactment of this title, shall cease to be so recoverable and payable; and all proceedings pending for the recovery of any such moneys shall be terminated. The general railroad contingent fund established under such section shall be liquidated and the Secretary of the Treasury shall distribute the moneys in such fund among the carriers which have made payments under such section, so that each such carrier shall receive an amount bearing the same ratio to the total amount in such fund that the total of amounts paid under such section by such carrier bears to the total of amounts paid under such section by all carriers; except that if the total amount in such fund exceeds the total of amounts paid under such section by all carriers such excess shall be distributed among such carriers upon the basis of the average rate of earnings (as determined by the Secretary of the Treasury) on the investment of the moneys in such fund and differences in dates of payments by such carriers.

(b) The income, war-profits, and excess-profits tax liabilities for any taxable period ending after February 28, 1920, of the carriers and corporations whose income, war-profits, or excess-profits tax liabilities were affected by section 15a of the Interstate Commerce Act, as in force prior to the enactment of this Act, shall be computed as if such section had never been enacted, except that, in the case of carriers or corporations which have made payments under paragraph (6) of such section, an amount equal to such payments shall be excluded from gross income for the taxable periods with respect to which they were made. All distributions made to carriers in accordance with subdivision (a) of this section shall be included in the gross income of the carriers for the taxable period in which this Act is enacted. The provisions of this subdivision shall not be held to affect (1) the statutes of limitations with respect

to the assessment, collection, refund, or credit of income, war-profits or excess-profits taxes or (2) the liabilities for such taxes of any carriers or corporations if such liabilities were determined prior to the enactment of this Act in accordance with section 1106 (b) of the Revenue Act of 1926 or section 606 of the Revenue Act of 1928, or in p. 874. accordance with a final judgment of a court, an order of the Board of Tax Appeals which had become final, or an offer in compromise duly accepted in accordance with law.

Sec. 207. Paragraph (a) of section 19a of the Interstate Comproperty.

Merce Act, as amended (U.S.C., title 49, sec. 19a (a)), is amended to read as follows:

"(a) That the Commission shall, as hereinafter provided, investigate, ascertain, and report the value of all the property owned or system excluded.

"(b) Physical valuation of property. Vol. 37, p. 701; Vol. 49, p. 271, amended. Post, p. 515.

Street, etc., railways, not a part of railroad system excluded. used by every common carrier subject to the provisions of this Act, except any street, suburban, or interurban electric railway which is not operated as a part of a general steam railroad system of transnot operated as a part of a general steam railroad system of transportation; but the Commission may in its discretion investigate, sion in separate valuation report ascertain, and report the value of the property owned or used by any such electric railway subject to the provisions of this Act whenever in its judgment such action is desirable in the public interest. To enable the Commission to make such investigation and report, perts it is authorized to employ such experts and other assistants as may be necessary. The Commission may appoint examiners who shall have power to administer oaths, examine witnesses, and take testi-The Commission shall, subject to the exception hereinbefore ventory. mony. provided for in the case of electric railways, make an inventory which shall list the property of every common carrier subject to the provisions of this Act in detail, and show the value thereof as hereinafter provided, and shall classify the physical property, as nearly as practicable, in conformity with the classification of expenditures for road and equipment, as prescribed by the Interstate Commerce Commission."

Sec. 208. Paragraphs (f) and (g) of such section 19a, as amended U.S.C., p. 1667.

(U.S.C., title 49, sec. 19a (f), (g)), are amended to read as follows:

"(f) Upon completion of the original valuations herein provided maintenance of.

Valuations: current maintenance of. for, the Commission shall thereafter keep itself informed of all new construction, extensions, improvements, retirements, or other changes in the condition, quantity, use, and classification of the property of New construction, the condition, quantity, use, and classification of the property of New construction, the condition of the property of the construction, and classification of the property of the condition all common carriers as to which original valuations have been made, and of the cost of all additions and betterments thereto and of all changes in the investment therein, and may keep itself informed of current changes in costs and values of railroad properties, in order that it may have available at all times the information deemed by it to be necessary to enable it to revise and correct its previous inventories, classifications, and values of the properties; and when deemed necessary, may revise, correct, and supplement any of its inventories and valuations.

"(g) To enable the Commission to carry out the provisions of the Duty of carriers to preceding paragraph, every common carrier subject to the provisions of this Act shall make such reports and furnish such informa-

tion as the Commission may require."

Sec. 209. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the other provisions of this Act or the application of such provision to any other person or circumstances shall not be affected thereby.

Approved, June 16, 1933, 12:05 p.m.

Employment of ex-

Examiners.

Classification and in-

Revision and inven-tories.

Saving provisions.

[CHAPTER 92.]

AN ACT

June 16, 1933. [S. 1872.] [Public, No. 69.]

To extend the times for commencing and completing the construction of a bridge across the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tennessee.

Be it enacted by the Senate and House of Representatives of French Broad River. the United States of America in Congress assembled, That the times bridging, Jefferson and for commencing and completing the construction of a bridge across Cocke Counties, Tenn. the French Broad Bivor on the Broad Biv the French Broad River on the proposed Morristown-Newport Road between Jefferson and Cocke Counties, Tennessee, authorized to be built by the Highway Department of the State of Tennessee, by an Act of Congress approved February 6, 1931, are hereby extended one and three years, respectively, from February 6, 1933.

Sec. 2. The right to alter, amend, or repeal this Act is hereby

Vol. 46, p. 1064. Amendment.

expressly reserved.

Approved, June 16, 1933, 12:45 p.m.

[CHAPTER 93.]

AN ACT

June 16, 1933. [H.R. 4589.] [Public, No. 70.]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1934, and for other purposes.

from the Treasury.

District of Columbia. United States of America in Congress assembled, That in order to Appropriations for expenses of, fixed year defray the expenses of the District of Columbia for the fiscal year enues and \$5,700,000 to the Transmitted Transmit ending June 30, 1934, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition \$5,700,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1933, and all the remainder out of the combined revenues of the District of Columbia, namely:

General expenses.

GENERAL EXPENSES

Executive Office.

EXECUTIVE OFFICE

Office personnel.
Additional, for Engineer Commissioner.

Restriction not applicable to clerical-mechanical services.
No reduction in fixed salaries.
Vol. 42, p. 1490;

vol. 42, p. 1490; Vol. 46, p. 1095.

For personal services, \$38,794, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional and scientific service of the Classification o of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: Provided, That in expending appropriations average rates under Classification Act; exceptions.

Vol. 42, p. 1488; Vol. 46, p. 776; Vol. 46, p. 776; Vol. 46, p. Commissioners the average of the Classification of the two civilians Commissioners the average of the Commissioners at such rate in grade contained in the Classification act of 1923, as amended, with the exception of the two civilians Commissioners the average of the Commissioners are such rate in grade of the Classification act of 1923, as amended, with the exception of the two civilians commissioners the average of the Classification act of the Classification act of the Classification act of the Classification act of 1923, as amended, with the exception of the two civilians commissioners are contained in this act for the payment of payment of payment of payment of payment of payment of the classification act of 1923, as amended, with the exception of the two civilians commissioners. U.S.C., p. 65; Supp. persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: Provided, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to

require the reduction in salary of any person who is transferred position without pay from one position to another position in the same or different grade reduction. in the same or a different bureau, office, or other appropriation unit; Higher rates per-(4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the com- If only one position pensation of any person in a grade in which only one position is allocated;

Purchasing division: For personal services, \$48,793;

Building inspection division: For personal services, \$97,846; Plumbing inspection division: For personal services, \$31,783; two division.

members of plumbing board at \$127.50 each; in all, \$32,038.

PUBLIC CONVENIENCE STATIONS For maintenance of public convenience stations, including compensation of necessary employees, \$12,500.

CARE OF DISTRICT BUILDING

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, \$81,000: Provided, That no other appropriation made in this Act shall be Provided, That no other appropriation made in this Act shall be Employment of as available for the employment of additional assistant engineers or watchmen or watchmen watchmen for the care of the District Building.

For fuel, light, power, repairs, laundry, and miscellaneous supplies, \$28,300.

ASSESSOR'S OFFICE

For personal services, \$193,000.

COLLECTOR'S OFFICE

For personal services, \$39,000.

AUDITOR'S OFFICE

For personal services, \$106,000; and the compensation of the present disbursing officer of the District officer permitted other of Columbia shall be exclusive of his compensation as Thirtied States. of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

OFFICE OF CORPORATION COUNSEL

For the corporation counsel, including extra compensation as gen- Extra psy, Public Commission. eral counsel of the Public Utilities Commission, and other personal services, \$75,400.

CORONER'S OFFICE

For personal services, including deputy coroners, in accordance deputies. Vol. 46, p. 1003. with the Classification Act of 1923, as amended, \$8,651.

For the maintenance of a non-passenger-carrying motor wagon penses.

Morgue, etc., exfort the morgue, jurors' fees, witness fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, \$3,750.

Purchasing division. Building inspection Plumbing inspection

Public convenience stations

Maintenance.

Care of District Building.

Operating force.

Operating supplies.

Assessor's office.

Personal services.

Collector's office.

Personal services.

Auditor's office.

Corporation Counsel's office.

Coroner's office.

Services, including

Office of Superintendent of Weights,

OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

etc. Personal service, etc. Inspection, etc.

For personal services, \$37,500.

For purchase of commodities, including personal services, in connection with investigation and detection of sales of short weight

and measure, \$300.

For maintenance and repairs to markets, \$5,500.

Motor vehicles

Markets

For maintenance and repair of non-passenger-carrying motor vehicles, \$1,750.

Engineer depart mant.

OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT

Chief Clerk's office.

For personal services, \$24,935.

CENTRAL GARAGE

Central garage.

For personal services, \$4,539.

Municipal tect's office. Archi-

MUNICIPAL ARCHITECT'S OFFICE

Personal services.

For personal services, \$40,000.

Apportionments.

All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding 23/4 per centum of a total of the appropriations in excess of \$2,000,000.

Public Utilities Commission.

PUBLIC UTILITIES COMMISSION

Commissioners, people's counsel, etc.

Experts.

For two commissioners, people's counsel, and for other personal services, \$82,000, of which amount not to exceed \$5,000 may be used for the employment of expert services by contract or otherwise and without reference to the Classification Act of 1923, as amended, and of which amount not to exceed \$688 shall be immediately available.

Incidental expenses.

For incidental and all other general necessary expenses authorized

by law, including the purchase of newspapers, \$1,500.

Issuance of orders requiring meters in taxicabs forbidden.

No part of the appropriations contained in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs until such regulation or order shall have been approved by Congress: Provided, That this prohibition shall not be construed to affect any order or part of an order of such Public Utilities Commission other than with respect to the requirement of the installation of such meters.

Proviso. Other orders not af-

BOARD OF EXAMINERS, STEAM ENGINEERS

Examiners, engineers. steam

Salaries: Three members, at \$127.50 each, \$382.

DEPARTMENT OF INSURANCE

Insurance department.

For personal services, \$17,702.

SURVEYOR'S OFFICE

Surveyor's office.

For personal services, \$68,000.

Employees' pensation fund. Com-

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

Payment for injuries. Vol. 41, p. 104.

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for

employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved Septem-

ber 7, 1916, \$30,000.

Administrative Expenses, Compensation to Injured Employees of the District of Columbia: For the enforcement of the Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (U.S.C., Supp. V, title 33, sec. 901), \$50,750, for transfer to and expenditure by the Employees' Compensation Commission under its appropriations "Salaries and expenses", \$50,000, and "Printing and binding'

For financing of the liability of the government of the District of Contribution to Columbia, created by the Act entitled "An Act for the retirement from District revenues." of employees in the classified civil service, and for other purposes ", p. 912; Vol. 44, p. 619; Vol. 44, p. 192; Vol. 46, p. 468.

approved May 22. 1920, and Acts amendatory thereof (U.S.C., title U.S.C., Supp. VI, 5, sec. 707a), \$150,000, which amount shall be placed to the credit

of the "civil service retirement and disability fund."

DEPARTMENT OF VEHICLES AND TRAFFIC

For personal services, \$60,000.

For purchase, installation, and modification of electric traffic lights, signals and controls, markers, painting white lines, labor, maintenance of nonpassenger-carrying motor vehicles and such other expenses as may be necessary in the judgment of the Commissioners, \$45,000: Provided, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

For the purchase of motor vehicle identification number plates,

\$20,000.

FREE PUBLIC LIBRARY

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian,

\$265,000.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, \$40,000: Provided, That the disbursing officer of the District of Columbia is authorized to advance purchased, etc. to the librarian of the free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding \$25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

For binding, including necessary personal services, \$18,452.

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles. and other contingent expenses, \$25,000.

For rent of suitable quarters for branch libraries in Chevy Chase Woodridge branches.

and Woodridge, \$4,800.

REGISTER OF WILLS

For personal services, \$60,000.

For miscellaneous and contingent expenses, telephone bills, printing, typewriters, photostat paper and supplies, including laboratory Vol. 39, p. 742.

Administrative penses, compensation to injured employees.

Vol. 45, p. 600. U.S.C., Supp. VI, p. 664.

Vehicles and traffic department

Personal services.

Expenses, etc.

Proviso.

Not available for street-car loading platforms.

Identification plates.

Public Library.

Personal services.

Miscellaneous.

Advances for books

Binding.

Contingent expenses.

Register of Wills.

Personal services.

Contingent expenses

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coats and photographic developing room equipment, towels, towel service, window washing, street-car tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, \$9,000.

Recorder of Deeds.

RECORDER OF DEEDS

Personal services.
Recopying old land records.

Contingent expenses.

For personal services, \$80,000, of which \$6,000 shall be available only for recopying old land records of the District of Columbia. For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of

records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, street-car tokens, postage, not exceeding \$100 for rest room for sick and injured employees and the equipment of and medical supplies for said rest room, and all other necessary incidental expenses, \$10,000.

Rent.

For rent of offices of the recorder of deeds, \$10,000.

Contingent expenses

CONTINGENT AND MISCELLANEOUS EXPENSES

Objects specified.

For checks, books, law books, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; repairs to pound and vehicles, not to exceed \$500; traveling expenses not to exceed \$1,000, including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; and other general necessary expenses of District offices; \$28,000: Provided, That no part of this or any other appropriation contained in this Act shall be expended for printing or binding a schedule or list of supplies and materials for the Printing and bind furnishing of which contracts have been or may be awarded.

Removing unsafe, etc., buildings.

Automobiles, main-tenance, etc.

Restriction on use of istrict-owned vehi-District-owned

Under control of Commissioners.

Transportation be-tween domicile and place of employment.

Proviso. Purchase price restriction.

Transfer forbidden.

For printing and binding, including the printing of the report on the power needs of the District of Columbia, \$55,000.

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, \$50,000.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public services of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the Commissioners: Provided, That no passenger-carrying automobile, except busses, patrol wagons, and ambulances, and except as otherwise specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding \$650. No motor vehicles

shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Appropriations in this Act shall not be used for the payment Fire insurance pre-

of premiums or other cost of fire insurance.

Telephones may be maintained in the residences of the superat residences of designated officials.

Telephones may be maintained in the residences of the superat residences of designated officials.

Telephones allowed intendent of the street-cleaning division, assistant superintendent of the street-cleaning division, inspector of plumbing, Director of Public street-cleaning division, inspector of plumbing, Director of Public Welfare, health officer, assistant health officer, chief of the bureau of preventable diseases, chief engineer of the fire department, superintendent of police, electrical inspector in charge of the fire-alarm system, one fire-alarm operator, and two fire-alarm repair men, the superintendent of machinery, and the fire marshal, under appropriations contained in this Act. The commissioners may connect any connect any ted. or all of these telephones either to the system of the Chesapeake and Potomac Telephone Company or the telephone system maintained by the District of Columbia, or to both of such systems. Telephones may also be maintained in the residences of the general superintendent of penal institutions and such other officials of the workhouse and reformatory as may be approved by the Commissioners.

For postage for strictly official mail matter, including the rental

of postage meter equipment, \$40,000.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street car and bus fares from appropriations contained in this Act: Provided, That the expenditures herein authorized shall be so apportioned as not to exceed a total of \$9,500: Provided further, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

For judicial expenses, including witness fees, and expert services in District cases before the Supreme Court of Said District, \$\phi_1,000\$.

Provided, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the ing permitted public interest, to contract for stenographic reporting services withwaived.

RS., Sec. 3709, p. 733, waived.

Wisc., p. 1309 in District cases before the Supreme Court of said District, \$1,500: out regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) under available appropriations contained in this Act.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, \$4,000: Provided, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

For advertising notice of taxes in arrears July 1, 1933, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property

advertised, \$8,000.

EMPLOYMENT SERVICE

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, \$9,435.

EMERGENCY FUND

To be expended only in case of emergency, such as riot, pestilence, tion public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all other cases of emergency not otherwise sufficiently provided for, in the discretion of the Commissioners,

Postage.

Car fare, etc.

Provisos. Limitation

Fire and police de-partments excepted.

Judicial expenses.

General advertising.

Proviso. Outside advertising.

Taxes in arrears. Vol. 30, p. 250.

Employment service.

Emergency fund.

Expenses; restric-

Provise. Voucher for expenses.

\$1,000: Provided, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of not to exceed \$1,000 for such investigations as they may deem necessary.

Refund of erroneous

REFUND OF ERRONEOUS COLLECTIONS

Payments authorized. Vol. 36, p. 967.

To enable the Commissioners, in any case where special assessments, school tuition charges, payments for lost library books, rents,

Building permits.

Proviso. Refunds of prior

Conference on Uniform State Laws.

fees, or collections of any character have been erroneously covered into the Treasury, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat., p. 967), \$4,000: Provided, That this appropriation hall be available for the state of the state o priation shall be available for such refunds of payments made within the past three years.

To aid in support of the National Conference of Commissioners on Uniform State Laws, \$250.

Street, etc., improve-ment and repair.

Highways depart-ment, salaries. Assessment and per-

mit work.

STREET AND ROAD IMPROVEMENT AND REPAIR

Salaries, Highways Department: For personal services, \$155,000. For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance of nonpassenger-carrying motor vehicles, \$150,000

Gasoline tax and street fund.

GASOLINE TAX, ROAD AND STREET IMPROVEMENTS AND REPAIRS

Paving, etc., streets and roads from.

Vol. 43, p. 106.

Designated streets to be improved.

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including personal services and the maintenance of motor vehicles used in this work, and including curbing and gutters and replacement of curb-line trees where necessary, as follows, to be paid from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments: For paving, repaving, and surfacing, including curbing and gut-

ters where necessary, the following: Northwest: Thirty-first Street, Chesapeake and Ohio Canal to K

Street and South Street, Thirty-first Street to Wisconsin Avenue, \$7,400;

Grading streets, alleys, and roads.

For grading streets, alleys, and roads, including construction of necessary culverts and retaining walls, \$50,000;

Surfacing block pave-

For surfacing block pavements and paving the unpaved center strips of paved roadways, \$25,000;

Minor changes in roadways, etc.

For minor changes in roadway and sidewalks on plans to be approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, \$5,000;

Curbs and gutters, shoulders, etc.

For construction of curbs and gutters, or concrete shoulders in connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of base of such roadways where necessary, \$175,000;

Surfacing, etc., pave-

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, \$375,000;

For construction, maintenance, operation, and repair of bridges, Pridges, construction, including \$45,000, or so much thereof as may be necessary, for replacement of the fender pile system of the Highway Bridge, and not to exceed \$7,500 for surveys, engineering investigations, and preparation of plans for a viaduct or bridge in the line of New Hampshire Avenue over the tracks of the Baltimore and Ohio Railroad, and including maintenance of nonpassenger-carrying motor vehicles, \$100,000.

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads, and including the purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, \$500,000: Provided, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District plant authorized of Columbia, are however and the contract of the District plant authorized of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000;

ant at a cost not to exceed \$50,000;

This appropriation shall be available for repairing pavements of ments. Vol. 20, p. 105. street railways when necessary; the amounts thus expended shall be collected from such railroad companies as provided by section 5 of "An Act providing a permanent form of government for the District of Columbia," approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected;

In all, not to exceed \$1,237,400, to be immediately available; to be disbursed and accounted for as "Gasoline tax, road and street improvements and repairs," and for that purpose shall constitute one fund: Provided, That assessments in accordance with existing law shall be made for paving and repaving roadways where such roadways are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels and accretions by repayment of assessments.

For additional street and road improvements and repairs to aid in the relief of unemployment, to be allotted for such projects and purposes and in such amounts as the Director of the Bureau of the Budget may approve (including the allocation of additional sums oline, etc., fund. to any or all of the general items herein chargeable to the gasoline tax fund), there is hereby appropriated out of the gasoline tax fund and to be immediately available, such sums (not to exceed in the aggregate \$1,500,000) as may be deemed surplus in such fund: Provided. That of said amount the sum of \$575,000 is hereby made available for the construction of a bridge to replace the Calvert Street Bridge over Rock Creek, including necessary changes in water and sewer mains, and including the employment of engineering or other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5), or the Classification Act of 1923, as amended, and engineering and incidental expenses, and the Commissioners are authorized to enter into contract or contracts for construction of said bridge at a cost not to exceed \$1,250,000; but no part of said sum shall be available for expenditure in connection with the construction of said Calvert Street Bridge until the Commissioners of the District of Columbia shall have made a restudy and reinvestigation to determine which particular type of bridge is most economical and serviceable, and best suited to the proposed location; and the Commission of Fine Arts shall have approved the type of bridge decided upon, and any street railway company using said bridge shall install thereon, at its own expense, an approved underground system of street-car propulsion and, at its own expense, shall thereafter maintain such underground construction, and bear the cost of surfacing and resurfacing and main-

Highway bridge, improvements
Plans for New Hamp shire Avenue viaduct

Motor vehicles.

Repairs, etc.

Proviso.

Street railways, pave-

Disbursements, etc.

roviso. Assessments under existing law.

Street improvements, etc., for unemployment relief.

Promso.
Calvert Street Bridge
to be replaced.

Employment of en-Employment of chi gineers. R.S., sec. 3709, p. 733, U.S.C., p. 1309. Vol. 42, p. 1488. U.S.C., p. 65; Supp. VI, p. 31. Contracts authorized. Limit of cost.

Study of suitable

Approval by Fine Arts Commission Street railway using bridge to install electric system at its expense; other items

Widening, etc., designated roadways.

Relocating, etc., taining in good condition the space between the railway tracks and two feet exterior thereto as provided by law, and shall defray the cost of excess construction occasioned by such use including the relocation and construction of closed plow pits at the west approach to the bridge in accordance with plans to be approved by the Commissioners of the District of Columbia: *Provided further*, That of said amount of \$1,500,000, the sum of \$45,741 is hereby made available for widening to seventy-three feet and repaving the roadway of Constitution Avenue northwest, North Capitol to First Street, and for widening to eighty feet and repaving the roadway of Constitution Avenue northwest, First Street to Second Street, in accordance with plans therefor to be jointly approved by the National Capitol Park and Planning Commission and the Commissioners of the District of Columbia, including the necessary reconstruction, relocation, changes, and adjustments of all water mains, sewers in advance of paving, trees, sidewalks, lamp posts, fire hydrants or other structures affected, Transfer from Ar-lington Memorial and the total cost of said work shall not exceed \$76,235, of which Bridge, construction appropriation.

Post, p. 285.

and including personal services and all necessary incidental expenses, of which sum not to exceed \$30,494 shall be transferred from and in accordance with the appropriation in the Independent Offices Appropriation Act, 1934, for the construction of the Arlington Memorial Bridge.

MISCELLANEOUS ROAD AND STREET IMPROVEMENTS AND REPAIRS

Opening streets, etc., permanent highway system. Vol. 37, p. 950.

rovisos. Alley improvements, building lines, etc.

Limitation.

Changing widths, etc. sidewalk

Open competition for street repair, etc., contracts.

Repairs, due to infe-rior work by contrac-

Repayment.

Laboratory tests.

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, except Fourteenth Street extension beyond the southern boundary of Walter Reed Hospital Reservation, in accordance with the plan of the permanent priated such sum as is necessary for said purpose, including the procurement of chains of title, during the fiscal year 1934, to be paid wholly out of the revenues of the District of Columbia: *Provided*, That this appropriation shall be available to carry out the provisions of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia: Provided further, That the amount expended hereunder shall not exceed \$25,000.

The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act.

No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving material as well as in price.

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the District of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

BRIDGES AND WHARVES

Bridges and wharves.

Benning Bridge over the Anacostia River: For completing the Benning, over Anacostia River.

Completing construction of a bridge to replace the bridge and trestle in line of Completing construction. construction of a bridge to replace the bridge and trestle in line of Benning Road over the Anacostia River in accordance with the provisions and conditions contained in the District of Columbia Appropriation Act for the fiscal year 1933, \$148,500.

For reconstruction, where necessary, and for maintenance and repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac

River, \$5,000.

TREES AND PARKINGS

Trees and parkings.

Reconstructing, etc., wharves.

Personal services. Contingent expenses.

For personal services, \$22,000.

For contingent expenses, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees on city and suburban streets, care of trees, tree spaces, purchase and maintenance of nonpassenger-carrying motor vehicles, and miscellaneous items, \$84,000.

SEWERS

Salaries, sewer department: For personal services, \$160,000.

For cleaning and repairing sewers and basins, including the replacement of the following motor trucks: One at not to exceed \$650; one at not to exceed \$750; one at not to exceed \$2,000; for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oil, waste, and other supplies, and for the maintenance of nonpassenger-carrying motor vehicle used in this work, \$195,000.

For main and pipe sewers and receiving basins, \$100,000.

For suburban sewers, including the maintenance of nonpassengercarrying motor vehicles used in this work, and the replacement of the following motor trucks: Three at not to exceed \$650 each; one at not to exceed \$3,500; \$175,000.

For assessment and permit work, sewers, including not to exceed Assessment and permit work. \$1,000 for purchase or condemnation of rights of way for construction, maintenance, and repair of public sewers, \$75,000.

Sewers.

Personal services. Cleaning, repair, etc.

Main and pipe. Suburban.

COLLECTION AND DISPOSAL OF REFUSE

For personal services, \$120,000.

For dust prevention, sweeping, and cleaning streets, avenues, alleys, snow and ice removal, and suburban streets, under the immediate direction of the Commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters in the discretion of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of stables; hire and maintenance of horses; hire, purchase, maintenance, and repair of wagons, harness, and other equipment; maintenance and repair of nonpassengercarrying motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment; and necessary incidental expenses, \$375,000.

To enable the Commissioners to carry out the provisions of exist- Garbage, dead animals, ashes, etc. ing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; and

City refuse.

Personal services.

Reduction plant.

Provisos. Proceeds covered in; division of.

Collections ted. restrie-

Incinerator in south-east section forbidden.

incidental expenses, \$800,000, including not to exceed \$14,000 for repair and improvement of the garbage-reduction plant: Provided, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in the manner provided by law: Provided further, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

No part of the funds appropriated in this Act shall be available for the operation of a high-temperature incinerator for the disposal of combustible refuse in the southeast section of the District of Columbia.

Public playgrounds.

PUBLIC PLAYGROUNDS

Personal services. Proviso. Employments stricted.

For personal services, \$97,167: Provided, That employments herere under, except directors who shall be employed for twelve months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia Appropriation Act for the fiscal year 1924.

Maintenance, etc.

For general maintenance, repairs and improvements, equipment, supplies, incidental and contingent expenses of playgrounds, including labor and maintenance of one motor truck, \$30,000, of which \$5,000 shall be available for putting the Northeast Playground in condition for play purposes.

Public school play-grounds during sum-mer.

For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds, under the direction and supervision of the Commissioners; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, \$25,000.

Swimming pools.

For supplies, repairs, maintenance, and necessary expenses of

operating three swimming pools, \$2,568.

For personal services, \$115,000.

Bathing pools.

Bathing pools: For superintendence, \$510; for temporary services, supplies, and maintenance, \$3,500; for repairs to buildings, pools, and upkeep of grounds, \$1,215; in all, \$5,225.

Electrical depart-

ELECTRICAL DEPARTMENT

Personal services.

Supplies, contingent expenses, etc.

For general supplies, repairs, new batteries and battery supplies,

telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets. pins, hardware, cross arms, ice, record book, stationery, livery, blacksmithing, extra labor, new boxes, maintenance of motor trucks and other necessary items, \$29,000.

Placing wires under-ground.
Police patrol and fire alarm systems, etc.

For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and firealarm systems, purchase and installing additional lead-covered cables. labor, material, appurtenances, and other necessary equipment and expenses, \$15,000.

Lighting, etc.

Lighting: For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms, extra labor, operation, maintenance, and repair of motor trucks, this sum to be expended in accord-

Air mail lights.

ance with the provisions of sections 7 and 8 of the District of Vol. 36, p. 1008; Vol. Columbia Appropriation Act for the fiscal year 1912 (36 Stat., pp. 1008-1011, sec. 7), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat., pp. 181-184, sec. 7), and other laws applicable thereto, and including not to exceed \$26,000 for operation and maintenance of electric traffic lights, signals, and controls, \$800,000, together with \$25,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1933: ment of rates for electric street lighting in excess of those authorized ingrates.

Provises.

Electric street lighting in excess of those authorized ingrates.

Electric street lighting rates.

The pay
Bellevite street lighting rates. hour for current consumed: Provided further, That no part of this contractor. appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

Traffic signals, etc.

PUBLIC SCHOOLS

For personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat., pp. 367-375), including salaries of presidents of teachers colleges salary schedule for first assistant superintendents, $_{
m the}$ in \$550,000.

For personal services of clerks and other employees, \$138,000.

For personal services in the department of school attendance and work permits in accordance with the Act approved June 4, 1924 and work department. (43 Stat., pp. 367–375), the Act approved February 5, 1925 (43 Stat., vol. 43, pp. 367–375, pp. 806–808), and the Act approved May 29, 1928 (45 Stat., p. 998),

For personal services of teachers and librarians in accordance etc. Teachers, librarians, ith the Act approved June 4, 1924 (43 Stat., pp. 367-375), vol. 43, pp. 367-375. with the Act approved June 4, 1924 (43 Stat., pp. 367-375), including for teachers colleges assistant professors in salary class eleven, and professors in salary class twelve, \$5,432,760: Provided, Assignment of kin-That as teacher vacancies occur during the fiscal year 1934 in grades degraten teachers, one to four inclusive of the elementary schools such vacancies may grades 1-4. one to four, inclusive, of the elementary schools, such vacancies may be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible to teach in the said grades: Provided further, That teaching eligible to teach in the said grades: Provided further, That teaching teachers of special, etc., vacancies that occur during the fiscal year 1934 wherever found subjects. may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination: *Provided further*, That in the interests of economy the Board of Education may at its discretion during the fiscal year 1934 appoint as temporary teachers in public schools of the District of Columbia qualified teachers from the eligible list of applicants established by examinations: Provided further, That in filling all vacancies such vacancies teachers now in the schools shall have the preference.

For the instruction and supervision of children in the vacation schools and playgrounds, and supervisors and teachers of vacation schools and playgrounds may also be supervisors and teachers of day schools, \$25,000.

No part of any appropriation made in this Act shall be paid to Soliciting subscripany person employed under or in connection with the public schools prohibited. of the District of Columbia who shall solicit or receive, or permit

Public schools.

Personal services

Vol. 43, p. 368.

Clerks, etc.

School attendance

Temporary services,

Preference in filling

Vacation schools.

Exception.

to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the Superintendent of Schools.

Annuities. Vol. 44, p. 728; Vol. 41,

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled An Act for the retirement of public-school teachers in the District of Columbia ', approved January 15, 1920, and for other purposes" (41 Stat., pp. 387-390), \$400,000.

Night schools.

NIGHT SCHOOLS

Salaries.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, $$75,00\overline{0}$.

Contingent expenses.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, \$4,000.

Deaf, dumb, and

THE DEAF, DUMB, AND BLIND

Instruction of deaf

For maintenance and instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U.S.C., title 24, sec. 238), and under a contract to be entered into with the said institution by the Commissioners, \$32,000.

R.S., sec. 4864, p. 942. Vol. 31, p. 844. U.S.C., p. 685.

Colored deaf mutes.

For maintenance and instruction of colored deaf-mutes of teachable age belonging to the District of Columbia, in Maryland, or some Tuition, under con- other State, under a contract to be entered into by the Commissioners, \$6,000: Provided, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

tract.
Proviso. Supervision.

Blind children. Tuition, under con-

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, \$10,000: Provided, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

tract.
Proviso.

Americanization work.

AMERICANIZATION WORK

Instructing foreigners

For Americanization work and instruction of foreigners of all ages in both day and night classes, and teachers and janitors of Americanization schools may also be teachers and janitors of the day schools, \$7,500.

Contingent expenses.

For contingent and other necessary expenses, including books, equipment, and supplies, \$600.

Community centers.

COMMUNITY CENTER DEPARTMENT

Salaries and expen-

Vol. 43, pp. 369, 375.

For personal services of the director, general secretaries, and community secretaries in accordance with the Act approved June 4, 1924 (43 Stat., pp. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, \$30,000.

CARE OF BUILDINGS AND GROUNDS

For personal services, including care of smaller buildings and rented rooms at a rate not to exceed \$96 per annum for the care of each schoolroom, other than those occupied by atypical or ungraded and rented rooms classes, for which service an amount not to exceed \$120 per annum may be allowed, \$750,000.

Care of buildings and grounds

Personal services.

Smaller buildings

MISCELLANEOUS

For the maintenance of schools for tubercular and crippled pupils, Schools for tubercular and crippled pupils, lar and crippled pupils. \$9,000.

For transportation for pupils attending schools for tubercular pupils, and for pupils attending schools for crippled pupils, \$18,500: Provided, That expenditures for street car and bus fares, from this fund shall not be subject to the general limitations on the use of lowed.

Street car and bus fares covered by this Act.

For purchase and repair of furniture, tools, machinery, material, Manual, and books, and apparatus to be used in connection with instruction in expenses in manual and vocational training, and incidental expenses connected therewith, \$60,000, to be immediately available.

For fuel, gas, and electric light and power, \$240,000.

Miscellaneous

Transportation.

Proviso.

Manual, etc., train-

Fuel, light, power,

Furniture.

FURNITURE -

For completely furnishing and equipping buildings and additions ed buildings to buildings, as follows: School in Foxhall Village, \$3,200; Phelps Vocational School, \$40,000; Logan School, \$6,000; Keene School, \$6,000; Bancroft school, \$5,600; Douglass-Simmons assembly-gymnasium and M Street Junior High School gymnasium, \$3,040; in all, able Immediately available and he imm \$63,840, to be immediately available and to continue available until June 30, 1935.

For contingent expenses, including United States flags, furniture and repairs of same, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding \$8,000 for books of reference and periodicals, not exceeding \$1,500 for replacement of pianos at an average cost of not to exceed \$300 each, not exceeding \$5,000 for labor, \$120,000, to be immediately available: Provided, That a bond shall not be required on account of military supplies or equipment issued by the War Department for military Army supplies to cainstruction and practice by the students of high schools in the dets. District of Columbia.

No money appropriated in this Act for the purchase of furniture Commissioners' apand equipment for the public schools of the District of Columbia proval. shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

For textbooks and other educational books and supplies as authorized by the Act of January 31, 1930 (46 Stat., p. 62), including not to exceed \$7,000 for personal services, \$180,000, to be immediately available.

For maintenance of kindergartens, \$5,600, to be immediately available.

For purchase of apparatus, fixtures, specimens, technical books, Supplies for physics, etc., departments. and for extending the equipment and for the maintenance of laboratories of the department of physics, chemistry, biology, and general science in the several high and junior high schools and teachers colleges, and for the installation of the same, \$15,000, to be immediately available.

Contingent expenses.

Proviso.
No bond required for

Supplies to pupils. Vol. 46, p. 62.

Kindergartens.

School gardens.

For utensils, material, and labor, for establishment and maintenance of school gardens, including rent of grounds, \$2,000.

Nature study, etc., teachers.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to the work of instruction in nature study and school gardens.

Children of Army, Navy, etc., admitted free.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

Repairs, etc., to buildings.

For repairs and improvements to school buildings, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sanitary drinking fountains, and maintenance of motor trucks, \$325,000, of which amount \$100,000 shall be immediately available.

Equipment, etc., school-yard play-grounds.

Proviso. Use, etc.

For the purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, \$7,500: Provided, That such playgrounds shall be kept open for play purposes in accordance with the schedule maintained for playgrounds under the jurisdiction of the playground department.

Buildings and grounds.

BUILDINGS AND GROUNDS

Construction, etc., designated schools; payable from balances for the Municipal Cen-

Not to exceed \$570,000 of any unexpended balances of appropriations contained in the District of Columbia appropriation Acts for the fiscal years 1932 and 1933 for the Municipal Center is hereby reappropriated and made available for the construction of publicschool buildings as follows:

ter. Vol. 46, p. 1384; Vol. 47, p. 350.

For the erection of an eight-room building on a site already appropriated for in the vicinity of the Logan School, \$95,000;

Logan. Post, p. 860.

For beginning the construction of a senior high school building at Forty-first and Chesapeake Streets northwest, in the Reno sec-Contracts author- tion, \$475,000, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed \$1,150,000:

In all, \$570,000, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available fund.

Provisos.

Use for unauthorized

until expended: Provided, That no part of this appropriation shall be used for or on account of any school building not herein specified.

Reno, senior high.

No part of the foregoing appropriations for public schools shall be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1933, and children entering during the second half of the school year who will be five years of age by March 15, 1934: Provided, That this limitation shall not be considered as preventing the employment of a matron and the care of children under school age at the Webster School whose parent or

ized.

parents are in attendance in connection with Americanization work.

Total; immediately available.

Accounted as one

projects forbidden.

Under-age instruc-tion prohibited.

Webster School pro-

right to reject all bids.

None of the money appropriated by this Act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contrast construct. been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: Provided, That nothing herein shall be construed as repealing existing law giving the Commissioners the

Building contract re-quirements.

Right to reject bids.

The plans and specifications for all buildings provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation with the Board of Education, and shall be approved by the commissioners and shall be constructed in conformity thereto.

be constructed with all doors intended to be used as exits or entrances ments.

Exit, etc., requirements. opening outward, and each of said buildings having in excess of eight rooms shall have at least four exists.1 Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one half hour before until one half hour after school hours.

Preparation of plans,

METROPOLITAN POLICE SALARIES

For the pay and allowances of officers and members of the Metropolitan Police Force, in accordance with the Act entitled "An Act to 46, p. 839." fix the salaries of the Metropolitan Police Force, the United States Park Police Force, and the fire department of the District of Columbia" (43 Stat., pp. 174-175), as amended by the Act of July 1, 1930 (46 Stat., pp. 839-841), including compensation at the rate of \$2,100 per annum for the present assistant property clerk of the police department, \$2,570,000.

For personal services, \$103,000.

Police

Personal services.

Miscellaneous.

Fuel.

Repairs, etc.

Contingent expenses.

Radio system.

Prevention and de-tection of crime.

Proviso Speedometer repairs.

Motor vehicles.

MISCELLANEOUS

For fuel, \$7,000.

For repairs and improvements to police stations and station

grounds, \$8,000.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance and servicing of radio broadcasting systems, including purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed \$300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime and other necessary expenses, including expenses of harbor patrol, \$70,000, of which amount not exceeding \$2,000 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: Provided, That the Commissioners are authorized to employ the electrician of the District Building to repair speedometers at such cost not exceeding \$250 as they may approve payment to be in addition to his regular compensation, and such services to be performed after regular working hours.

For purchase, exchange, and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, \$60,000, including not to exceed \$2,000 for two patrol wagons and not to exceed \$2,800 for two police cruisers.

¹ So in original.

238

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, \$45,000.

House of Detention.

HOUSE OF DETENTION

Maintenance, etc.

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the purchase and maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, \$8,880; for personal services, \$7,120; in all, \$16,000.

Policemen, etc., relief fund.

POLICEMEN AND FIREMEN'S RELIEF FUND

Payments from.

To pay the relief and other allowances as authorized by law, such sum as is necessary for said purposes for the fiscal year 1934 is appropriated from the policemen and firemen's relief fund.

Fire Department.

FIRE DEPARTMENT

SALARIES

Salaries, officers, etc. Vol. 43, p. 175; Vol. 46, p. 839.

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police Force, the United States Park Police Force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839-841), \$1,800,000.

Personal services.

For personal services, \$4,794.

MISCELLANEOUS

Repairs, etc., to buildings. Uniforms, etc.

For repairs and improvements to buildings and grounds, \$20,000. Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, \$21,000.

Repairs to apparatus,

For repairs to apparatus, motor vehicles, and other motor-driven apparatus, fire boat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, \$41,000: Provided, That the Commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

Hose, fuel, etc.

For hose, \$9,000. For fuel, \$20,000.

For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags and halyards, medals of award, and other necessary items, \$20,000.

HEALTH DEPARTMENT

Health Department.

SALARIES

For personal services, \$155,000.

Personal services.

PREVENTION OF CONTAGIOUS DISEASES

Prevention of contagious diseases. Enforcement

For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in expenses. vol. 29, p. 635. the District of Columbia, approved March 3, 1897 (29 Stat., pp. 635-641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhold fever in the District of Columbia, approved February 9, 1907 (34 Stat., pp. 889-890), and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, approved for registration of all cases of tuberculosis in the District of Columbia, approved for the force of bia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat., pp. 126-127), under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat., pp. 1001-1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, \$28,000: Provided, That any bacteriologist and medical journals, \$28,000: Provided, That any bacteriologist Provise.

Bacteriological examemployed under this appropriation may be assigned by the health ination of milk, etc. officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

Vol. 34, p. 889.

Registration of tuberculosis. Vol. 35, p. 126.

Infantile paralysis

Venereal diseases. Vol. 43, p. 1001.

Disinfecting service.

Provisos. Volunteer services.

Drainage of lots, etc. Vol. 29, p. 126. Abatement of nui-

Hygiene, etc., public schools.

Personal services

For isolating wards for minor contagious diseases at Garfield Isolating wards, Garfield Hospital. Memorial Hospital, maintenance, \$22,500, or so much thereof as in

the opinion of the Commissioners may be necessary.

ment of indigent persons suffering from tuberculosis and of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, \$33,112:

Provided, That the Commissioners may accept such making the personal services. ices as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: Provided further, No pay therefor authorized. That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

For enforcement of the provisions of an Act to provide for the

drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat., pp. 125-126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for Vol. 34, p. 114 other purposes, approved April 14, 1906, \$500.

HYGIENE AND SANITATION, PUBLIC SCHOOLS

Salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental clinics, \$80,000: Provided, That of the persons employed as medical inspectors one shall be a woman,

Personal services

Dental clinics.
Proviso.

Division of inspectors and nurses. four shall be dentists, and four shall be of the colored race, and that

of the graduate nurses employed as public-school nurses three shall be of the colored race.

Maintenance of laboratories, etc.

For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, \$2,000.

Preventing food, candy, etc., adulterations. Vol. 30, pp. 246, 398.

For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat., pp. 246-248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat., p. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat., pp. 768-772), and an Act to regulate, within the District of Columbia, the sale of milk, cream, and ice cream, and for other purposes, approved February 27, 1925 (43 Stat., pp. 1004–1008), including traveling and other necessary expenses of dairy-farm inspectors; and including not to exceed \$100 for special services in detecting adulteration of drugs and foods, including candy and Proviso.
Dairy farm inspec. milk, \$6,000: Provided, That inspectors of dairy farms may receive on; motor vehicle an allowance for furnishing privately owned motor vehicles in the

Pure food law. Vol. 34, p. 768.

performance of official duties at the rate of not to exceed \$312 per annum for each inspector. For maintenance and operation of motor ambulances and motor

Milk regulations. Vol. 43, p. 1004.

Ambulances, etc.

tion; mo

Child welfare and hygiene.

No pay therefor.

vehicles, \$800.
Child welfare and hygiene: For maintaining a child-hygiene service, including the establishment and maintenance of child-welfare stations for the clinical examinations, advice, care, and maintenance of children under six years of age, payment for personal services, Provisos. Volunteer service rent, fuel, periodicals, and supplies, \$44,000: Provided, That the may be accepted. Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: Provided further, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Courts and prisons

COURTS AND PRISONS

Juvenile Court.

JUVENILE COURT

Personal services.

Salaries: For personal services, \$50,000.

Contingent expenses.

Miscellaneous: For compensation of jurors, \$1,125. For fuel, ice, gas, laundry work, stationery, books of reference,

periodicals, typewriters and repairs thereto, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, meals of jurors and prisoners, repairs to courthouse and grounds, furniture, fixtures, and equipment, and other incidental expenses not otherwise provided for, \$2,750.

Advances authorized to returning, etc., absconding probationers. The disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisional by the judge of the juvenile court and The disbursing officer of the District of Columbia is authorized to sition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed \$50 at any one time, to be expended for transportation and traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

POLICE COURT

Salaries: For personal services, \$85,000.

For law books, books of reference, directories, periodicals, stationery, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painter's and plumber's supplies, toilet articles, medicines, soap and disinfectants, lodging and meals for jurors and bailiffs when ordered by the court, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for,

For witness fees and compensation of jurors, \$23,000. For repairs and alterations to building, \$1,420.

MUNICIPAL COURT

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, \$63,000.

For compensation of jurors, \$4,000: Provided, That deposits made on demands for jury trials in accordance with rules prescribed by trials earned unless the court under authority granted in section 11 of the Act approved Vol 41, p. 1312 the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat., p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, \$2,750.

SUPREME COURT, DISTRICT OF COLUMBIA

Salaries: For the chief justice, eight associate justices, nine stenographers (one for the chief justice and one for each associate justice),

and other personal services, \$112,000.

Fees of jurors and witnesses: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised Statutes (U.S.C., title 28, sec. 604), \$85,000.

For not exceeding twenty deputy marshals who act as bailiffs, clerks of jury commissioners, and per diems of jury commissioners, and for expenses of meals and lodging for jurors in United States cases, and of bailiffs in attendance upon same when ordered by the court, \$31,942: Provided, That the compensation of each jury com-

missioner for the fiscal year 1934 shall not exceed \$250.

Probation system: For personal services, \$9,758; contingent expenses, \$242; in all, \$10,000.

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, \$30,000, to be expended under the direction of the Attorney General.

For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$4,000, to be expended under the direction of the Architect of the Capitol.

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Police Court.

Personal services. Contingent expenses.

Witnesses and jurors. Building repairs, etc.

Municipal Court.

Salaries.

Contingent expenses.

District Court. Supreme

Salaries.

Jurors and witnesses.

Bailiffs, etc.

Proviso.
Jury commissioners Probation system.

Courthouse, care, etc.

Repairs, etc.

Court of Appeals.

COURT OF APPEALS

Salaries.

Proviso. Sale of reports.

Salaries: For the chief justice and four associate justices, and all other officers and employees of the court; reporting service; not to exceed \$950 for necessary expenditures in the conduct of the clerk's office; in all, \$83,500: Provided, That the reports of the court shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.

Care, etc., of building.

Proviso. Custodian.

Building: For personal services for care and protection of the Court of Appeals Building, including one mechanician, under the direction of the Architect of the Capitol, \$7,089: Provided, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court. For mops, brooms, buckets, disinfectants, removal of refuse, electically all the supervisions and incidental architectures.

Incidental expenses.

trical supplies, books, and all other necessary and incidental expenses not otherwise provided for, \$660.

Miscellaneous.

MISCELLANEOUS

Support of convicts out of the District.

Support of convicts: For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; and discharge gratuities provided by law; to be expended under the direction of the Attorney General, \$45,000.

Lunacy writs. Expenses of executing. Vol. 33, p. 740.

Writs of lunacy: For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, including personal services, \$7,957.

Miscellaneous, authorized by Attorney General.

Miscellaneous court expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and including such expenses other than for personal services as may be authorized by the Attorney General for

Printing and binding.

the Court of Appeals, District of Columbia, \$35,000.

Printing and binding: For printing and binding for the Supreme Court and the Court of Appeals of the District of Columbia, except records and briefs in cases in which the United States is a party, \$6,200.

Public Welfare.

PUBLIC WELFARE

Board of Public Welfare.

BOARD OF PUBLIC WELFARE

Personal services.

For personal services, \$96,000.

Child-welfare divi-

sion.

DIVISION OF CHILD WELFARE

Administration expenses.

Limitation on visit-ing wards of, outside the District, etc.

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$50, and all office and sundry expenses, \$3,500, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

For board and care of all children committed to the guardianship dren, etc., of children of said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$1,500 each to institutions under sectarian control and not more than \$400 for burial of children dying while under charge of the Board, \$250,000.

To carry out the purposes of the Act entitled "An Act to provide home care for dependent children in the District of Columbia", approved June 22, 1926 (44 Stat., pp. 758–760), including not to exceed \$11,152 for personal services in the District of Columbia, \$171,152: Provided, That this appropriation shall be so apportioned by the Commissioners as to prevent a deficiency the provided of the pro by the Commissioners as to prevent a deficiency therein, and no more penditure.

than \$100 per month shall be resident formula the providence of the penditure. than \$100 per month shall be paid therefrom to any one family.

For the maintenance, under the jurisdiction of the Board of Receiving, etc., home ublic Welfare, of a suitable place in a building entirely separate and Maintenance, etc. Public Welfare, of a suitable place in a building entirely separate and apart from the House of Detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine and medical supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies and equipment, and other necessary expenses including not to exceed \$15,940 for personal services, \$34,000.

The disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the Commissioners, sums of money not to exceed \$400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the Board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Salaries: For personal services, \$65,000.

For maintenance and support of prisoners of the District of Maintenance as Columbia at the jail, expenses incurred in identifying and pursuing escaped prisoners and rewards for their recapture, repair and improvements to buildings, cells, and locking devices, newspapers, books, and periodicals not to exceed \$100, maintenance of non-passenger-carrying motor vehicle, and expense of electrocutions, \$67,500.

GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF COLUMBIA

For personal services, \$280,000.

For maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, medical supplies, newspapers, books, books of reference, and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses, purchase, exchange, maintenance, operation, and repair of nonpassenger-carrying vehicles and motor bus: fuel for heating, lighting, and power, and all other necessary items, \$320,000.

Advances to director.

Limit.

Jail.

Salaries.

Maintenance

Workhouse and Re-formatory.

Personal services. Maintenance, etc.

Fuel, etc.

Building tion.
Equipment.
Additional sum.
Vol. 46, p. 1404.

Repairs.

Working capital.

Proviso.
Purchase of services and products.

Receipts deposited as revolving fund.
A vailability, etc.

Advances authorized for returning abscond-

For continuing construction of permanent buildings, including sewers, water mains, roads, and other necessary utilities, and for equipment for new buildings, \$42,800, together with a further sum of not exceeding \$54,000 of the unexpended balance of the appropriation for maintenance, care, and support of inmates, and so forth, workhouse and reformatory, District of Columbia, contained in the District of Columbia Appropriation Act for the fiscal year 1932.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical equip-

ment not used in industrial enterprises, \$22,000.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, \$35,000: Provided, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such surplus products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1934 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of nonpassenger-carrying vehicles, purchase and maintenance of horses, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

The disbursing officer of the District of Columbia is authorized to advance to the general superintendent of penal institutions, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding \$200 at one time, to be used only for expenses in returning escaped prisoners, payable from the maintenance appropriations for the workhouse and reformatory, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized

vouchers properly approved.

National Transchool for Boys. Training

Care, etc., of boys committed thereto.

National Training School for Girls.

Personal services. Contingent expenses.

Apprehending sconders.

NATIONAL TRAINING SCHOOL FOR BOYS

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, \$27,000.

NATIONAL TRAINING SCHOOL FOR GIRLS

Salaries: For personal services, \$27,500.

For groceries, provisions, light, fuel, soap, oil, lamps, candles, clothing, shoes, forage, horseshoeing, medicines, medical attendance, transportation, labor, sewing machines, fixtures, books, magazines, and other supplies which represent greater educational advantages; stationery, horses, vehicles, harness, cows, pigs, fowls, sheds, fences, repairs, typewriting, stenography, and other necessary items, and including compensation not exceeding \$1,500 for additional labor or ab services; for identifying and pursuing escaped inmates and for rewards for their capture, for transportation and other necessary expenses incident to securing suitable homes for paroled or discharged girls, and for maintenance of nonpassenger-carrying motor vehicles. \$31,000.

MEDICAL CHARITIES

Medical charities

ror care and treatment of indigent patients under contracts to be made by the Board of Public Welfare with the following institutions hospitals. and for not to exceed the following amounts, respectively:

Children's Hospital, \$15,000.

Central Dispensary and Emergency Hospital, \$45,000. Eastern Dispensary and Casualty Hospital, \$15,000.

Columbia Hospital.

Washington Home for Incurables, \$10,000.

Repairs, etc.

For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, \$5,000.

COLUMBIA HOSPITAL AND LYING-IN ASYLUM

TUBERCULOSIS HOSPITAL

Tuberculosis Hospi-tal.

Personal services.

Contingent expenses.

For personal services, \$73,500.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, books of reference, and periodicals not to exceed \$200, temporary services not to exceed \$1,000, maintenance of motor truck, and other necessary items, \$59,000.

For repairs and improvements to buildings and grounds, including

Repairs, etc.

roads and sidewalks, \$3,000.

CHILDREN'S TUBERCULOSIS SANATORIUM

Children's Tubercu-losis Sanatorium.

For personal services, maintenance, and other necessary expenses, including maintenance of motor vehicles and the purchase and maintenance of horses and wagons, \$25,000.

For completely furnishing and equipping the Children's Tuberculosis Sanatorium, including not to exceed \$1,950 for the purchase of one nonpassenger and two passenger-carrying motor vehicles (including one bus), \$45,000.

Maintenance, etc.

Equipment, etc.

Motor vehicles.

GALLINGER MUNICIPAL HOSPITAL

Gallinger Hospital, Personal services.

Salaries: For personal services, including not to exceed \$2,000 for

temporary labor, \$295,000.

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals, not to exceed \$500; for maintenance of nonpassenger-carrying motor vehicles; and for all other necessary expenses, \$195,000.

Maintenance, etc.

For repairs and improvements to buildings and grounds, \$4,500. Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, \$600.

Repairs, etc. Incidental expenses.

DISTRICT TRAINING SCHOOL

District Training School.

For personal services, including not to exceed \$1,000 for temporary labor, \$75,000.

Maintenance, etc.

For maintenance and other necessary expenses, including the maintenance of nonpassenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, \$80,000.

Repairs, etc

For repairs and improvements to buildings and grounds, \$5,000.

Home Colored Industrial School for Children.

INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Personal services.

Salaries: For personal services, \$30,575; temporary labor, \$425; in all, \$31,000.

Maintenance.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, and maintenance of non-passenger-carrying motor vehicles, and not to exceed \$1,250 for manual-training equipment and materials, \$25,000.

Repairs, etc. Deposit of receipts from products.

For repairs and improvements to buildings and grounds, \$1,928. All moneys received at said school as income from sale of products and from payment of board or of instruction or otherwise shall be paid into the Treasury of the United States to the credit of the District of Columbia.

Industrial Home

INDUSTRIAL HOME SCHOOL

Personal services.

Salaries: For personal services, \$20,575; temporary labor, \$425; in all, \$21,000.

Maintenance.

For maintenance, including care of horses, purchase and care of wagon and harness, maintenance of nonpassenger-carrying motor vehicle, \$21,000.

Repairs, etc.

For repairs and improvement to buildings and grounds, including not to exceed \$2,000 for laundry equipment, \$4,000.

Home for Aged and Infirm.

HOME FOR AGED AND INFIRM

Personal services.

Salaries: For personal services, \$49,300; temporary labor, \$1,700; in_all, \$51,000.

Contingent expenses.

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of nonpassenger-carrying motor vehicles, \$65,000.

Repairs, etc.; day

For repairs and improvements to buildings and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, \$4,500,

Municipal Lodging House, etc. Maintenance, etc.

MUNICIPAL LODGING HOUSE AND WOOD YARD

For personal services, \$2,934; maintenance, \$4,066; in all, \$7,000.

War Veterans' Service office.

WAR VETERANS' SERVICE OFFICE

Personal services.

For personal services, without reference to the Classification Act of 1923, as amended, to enable the municipal government to aid and advise war veteran residents of the District of Columbia and their dependents as to their rights and privileges under Federal legislation of which veterans and/or their dependents may be beneficiaries, including assistance in the presentation of claims to the Veterans' Administration or other appropriate Federal agencies, \$5,100, to be expended under the direction of the Commissioners of the District of Columbia.

assisting presenta-tion of claims.

Emergency relief.

EMERGENCY RELIEF

Relief of unemployed, etc, residents.

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of

the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and/or direct relief, in the discretion of the Board of Commissioners and under ture. rules and regulations to be prescribed by the board and without regard to the provisions of any other law, payable from the revenues revenues revenues of the District of Columbia, \$1,300,000, to be immediately available: Provided, That not to exceed 8 per centum of such amount shall be available for administrative expenses, including necessary personal penses services.

Method of expendi-

Proviso. Administrative ex-

TEMPORARY HOME FOR UNION EX-SOLDIERS AND SAILORS (DEPARTMENT OF THE POTOMAC, GRAND ARMY OF THE REPUBLIC)

For personal services, \$3,747; maintenance, \$9,253; and repairs Grand Army solto buildings and grounds, \$500; in all, \$13,500, to be expended under home. the direction of the Commissioners; and Union ex-soldiers, sailors, or marines of the Civil War, ex-soldiers, sailors, or marines of the Spanish War, Philippine insurrection, or China relief expedition, and soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

FLORENCE CRITTENTON HOME

Florence Crittenton Home.

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, \$6,000.

Maintenance, etc.

SOUTHERN RELIEF SOCIETY

For care and maintenance of needy and infirm Confederate Southern Relief Soveterans, their widows and dependents, residents in the District of federate veterans. Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, \$10,000.

NATIONAL LIBRARY FOR THE BLIND

For aid and support of the National Library for the Blind, located the Blind. at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$5,000.

COLUMBIA POLYTECHNIC INSTITUTE

To aid the Columbia Polytechnic Institute for the Blind, located nic Institute. Polytechnic Institute at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$3,000.

SAINT ELIZABETHS HOSPITAL

Saint Elizabeths Hospital.

For support of indigent insane of the District of Columbia in Support of District Saint Elizabeths Hospital, as provided by law, \$1,807,580.

For deportation of nonresident insane persons, in accordance with dent insane.

Deporting nonresident of Congress "to change the proceedings for admission to Vol. 30, p. 811. the Act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, \$5,500.

NONRESIDENT INSANE

In expending the foregoing sum the disbursing officer of the Disto Director of Public trict of Columbia is authorized to advance to the Director of Public Welfare.

Welfare upon recommendations of the Director of Public Welfare. Welfare, upon requisitions previously approved by the auditor of the

Limitation.

District of Columbia, and upon such security as the Commissioners may require of said Director, sums of money not exceeding \$300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

RELIEF OF THE POOR

Relief of the poor.

For relief of the poor, including medical and surgical supplies, artificial limbs, and for pay of physicians to the poor, to be expended

Payment to doned families Vol. 34, p. 87. Vol. 44, p. 758. to abanunder the direction of the Board of Public Welfare, \$8,000.

For payment to beneficiaries named in section 3 of "An Act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances", approved March 23, 1906, to be disbursed by the disbursing officer of the District of Columbia on itemized vouchers duly audited and approved by the auditor of said District, \$7,000.

Ex-service men.

BURIAL OF EX-SERVICE MEN

Burial of indigent, in Arlington Cemetery,

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding \$45 for such burial expenses in each case, exclusive of cost of grave, \$135.

TRANSPORTATION OF INDIGENT PERSONS

Transporting indigent persons.

For transportation of indigent persons, including indigent veterans of the World War and their families, \$5,000.

Vocational rehabili-tation of disabled residents. Vol. 45, p 1260.

Vocational rehabilitation of disabled residents, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (45 Stat., p. 1260), \$15,000.

Militia.

etc.

MILITIA

Expenses authorized under commanding general.

Personal services.

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, namely:

For personal services, \$18,000; temporary labor, \$5,000; for

alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance

Expenses of camps. expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed \$500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging

and operation of passenger and nonpassenger-carrying motor vehicles; street-car fares (not to exceed \$200) necessarily used in the transaction of official business; not exceeding \$400 for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, \$9,000; in all, \$32,000.

PUBLIC BUILDINGS AND PUBLIC PARKS

Public Buildings and Public Parks.

SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

For personal services, \$300,000.

Personal services.

Public parks.

GENERAL EXPENSES, PUBLIC PARKS

Maintenance general expenses.

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses under the jurisdiction of the Office of Public Buildings and Public Parks of the National Capital, including \$5,000 for the maintenance of the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per diem rates of pay approved by the Director, not exceeding current rates of pay for similar employment in the District of Columbia; the hire of draft animals with or without drivers at local rates approved by the Director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; car fare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books; blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles, motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures and so forth, \$333,000: Provided, That not exceeding \$20,000 of the amount herein appropriated may be concerts, etc. expended for placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks.

PARK POLICE

Park police.

Salaries: For pay and allowances of the United States park police Salaries: For pay and allowances of the United States park police salaries. Vol. 43, p. 175; Vol. 600, \$145,000.

For uniforming and equipping the United States park police Uniforms, ment, etc. force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment, \$9,000.

equip-

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

National Park and Capital Park and Commission Planning

For reimbursement to the United States in compliance with Reimbursement for section 4 of the Act approved May 29, 1930 (46 Stat., p. 482), as Vol. 46, p. 485. amended, \$1,000,000.

For each and every purpose, except the acquisition of land, etc. Incidental expenses, requisite for and incident to the work of the National Capital Park

Vol. 43, p. 463; Vol. 44, and Planning Commission as authorized by the Act entitled "An p. 374; Vol. 45, p. 1070.
U.S.C., p. 1292. Act providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled "An providing for a comprehensive development of the Act entitled " play-ground system of the National Capital", approved June 6, 1924 (U.S.C., title 40, sec. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed \$1,500 for printing and binding, not to exceed \$500 for traveling expenses and car fare of employees of the commission, and not to exceed \$300 for printing and scientific, technical, and reference books, and periodicals, \$31,000.

National Zoological Park,

NATIONAL ZOOLOGICAL PARK

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and incidental expenses not otherwise provided for, including not to exceed \$2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; maintenance and operation of one motorpropelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and nonpassenger-carrying motor vehicles, revolvers and ammunition; not exceeding \$2,500 for purchasing and supplying uniforms to park police, keepers, and assistant keepers; not exceeding \$100 for the purchase of necessary books and periodicals, \$180,000, no part of which sum shall be available for architect's fees or compensation.

Water service.

WATER SERVICE

From water rev-

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington Aqueduct and its appurtenances and for expenses of water department, namely:

Washington Aqueduct.

WASHINGTON AQUEDUCT

Maintenance, etc., of,

For operation, including salaries of all necessary employees, maintenance and repair of Washington Aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington Aqueduct tunnel, the filtration plants, the pumping plants and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services, purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed \$650; purchase and repair of rubber boots and protective apparel, and for each and every purpose connected therewith, \$400,000.

Control of Secretary of War not affected.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

Revenue, inspection, and distribution.

For revenue and inspection and distribution branches: For personal services, \$150,000.

Operating expenses.

For maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor trucks, and the replacement by purchase and/or exchange of the following motor-propelled vehicles: Three seven-hundred-andfifty-pound trucks not to exceed \$550 each, one one-and-one-half-ton truck not to exceed \$700, one three-ton truck not to exceed \$1,600, and one five-ton truck not to exceed \$2,000; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding not to exceed \$2,000, postage, purchase of technical reference books and periodicals, not to exceed \$275, and other necessary items, \$7,500; in all for maintenance, \$265,000, of which not exceeding \$5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping

For extension of the water department distribution system, laying Distribution of such service mains as may be necessary under the assessment

system, \$142,000.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, \$10,000.

For installing fire and public hydrants, \$10,000. For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, \$50,000,

to be immediately available.

For additional extension, improvement, and repair of the water distribution system, including necessary mains, machinery, and equipment, to aid in the relief of unemployment and to be allotted for such projects and purposes and in such amounts as the Director of the Bureau of the Budget may approve (including the allocation of additional sums to any or all of the four immediately preceding items), there is hereby appropriated wholly out of the revenues of the water department such sums (not to exceed in the aggregate \$635,000) as may be deemed surplus in such revenues.

During the fiscal year ending June 30, 1934, the Commissioners of the District of Columbia are authorized to allow a discount of of water charges. 10 per centum on the amount of any bill for water charges paid

within fifteen days after the date of the rendition thereof.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, sioners. and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: Provided, Limi That the expenditures hereunder shall not exceed \$42,000 during the penses. fiscal year 1934: Provided further, That, excluding inspectors in the sewer department and one inspector in the electrical department, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months in the aggregate during the fiscal year.

Meters.

Hydrants. Replacing mains.

New mains.

Provisos. Limitation on ex-

Period of employ-

Temporary labor, etc.

The Commissioners, or their duly designated representatives, are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

Horses, vehicles, etc.

Sec. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motor trucks may be hired exclusively to carry into effect said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics.

Temporary work, etc.

70viso.

Specific authority required.

Sec. 4. That the Commissioners are authorized to employ in the execution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as the Miscellaneous trust-fund deposits, District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motor trucks when specifically and in writing authorized by the Commissioners, and to incur all necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, including the purchase exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be paid from said appropriation account: Provided, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and artisans.

Miscellaneous trust funds. Expenses payable from. Vol. 33, p. 368.

Any person employed under any of the provisions of this Act who has been employed for ten consecutive months or more shall not be denied the leave of absence with pay for which the law provides.

Proviso.
Employment of laborers, etc.

Leaves of absence.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the

Material, supplies, vehicles, etc. Purchase from stock of Government activities no longer needed. regulations and schedules of the General Supply Committee or from the various services of the Government of the United States possessing material, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: Provided, That Proviso.

Transfers ut this section shall not be construed to amend, alter, or repeal the ecutive order. Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

be used to pay any increase in the salary of any officer or employee higher grade.

Increase of pay by reason of reallocation to higher grade. tion of such officer or employee to a higher grade after June 30, 1932, by the Personnel Classification Board or the Civil Service Commission, and salaries paid accordingly shall be payment in full.

SEC. 7. Title II of the Act entitled "An Act to maintain the credit pounding, on account of the United States Government", approved March 20, 1933, to the of salary reductions extent that it provides for the impoundment of approximations on the impoundment of approximations of the impoundment of approximations of the impoundment of approximations of the impoundment of approximations. extent that it provides for the impoundment of appropriations on account of reductions in compensation of officers and employees, shall not operate to require such impoundment under appropriations contained in this Act.

SEC. 8. When specifically approved by the Director of the Bureau Transfers between of the Budget upon recommendation of the Commissioners of the tions allowed; excep-District of Columbia, transfers may be made between subheads of appropriations provided in this Act for the free Public Library, public playgrounds, public schools (except buildings and grounds and repairs to buildings), health department, and public welfare, respectively: *Provided*, That such transfers under this section shall respectively: Provided, That such transfers under this section shall Provise. Not to apply not be made between appropriations for the several municipal serv-specified service. ices named, and all transfers, whether approved or contemplated, shall be reported to Congress in the estimates of the District of congress. Columbia for the fiscal year 1935.

Approved, June 16, 1933, 12:50 p.m.

[CHAPTER 94.]

AN ACT

To transfer Bedford County from the Nashville division to the Winchester division of the middle Tennessee judicial district.

June 16, 1933 [H.R. 5909.] Public, No. 71.1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bedford district. Transfer of Bedford of Tennessee is hereby detached from the Nashville division and Division. attached to and made a part of the Winchester division of the middle district of such State.

Approved, June 16, 1933, 12:55 p.m.

Price stimulation

Proviso. Transfers under Ex-

between

Report thereof to

[CHAPTER 95.]

AN ACT

June 16, 1933. [S. 1561.] [Public, No. 72.]

Providing for payment of \$50 to each enrolled Chippewa Indian of the Red Lake Band of Minnesota from the timber funds standing to their credit in the Treasury of the United States.

Red Lake Band of Chippewa Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to withdraw from the Treasury so much as may be necessary of the principal timber fund on deposit to the credit of the Red Lake Band of the Chip-Per capita payment pewa Indians of the State of Minnesota and to make therefrom payto, from tribal funds. ment, of \$50 in two capal installments of \$50. ment of \$50, in two equal installments of \$25 each, one as soon as practicable after the passage of this Act, and one on or about December 1, 1933, to each enrolled Chippewa Indian of the Red Lake Band of Minnesota, under such regulations as such Secretary shall No payment shall be made under this Act until the Chippewa Indians of the Red Lake Band of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or

Acceptance, etc.

Payments not subject to any lien, etc.

the Red Lake Band of Chippewa Indians, Approved, June 16, 1933, 12:57 p.m.

[CHAPTER 96.]

AN ACT

Be it enacted by the Senate and House of Representatives of the

claim of whatever nature against any of said Indians, except that not to exceed 15 per centum of each installment may be deducted to apply toward individual obligations due the United States or

June 16, 1933. [H.R. 5040.] [Public, No. 73.]

To extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes.

President authorized to modify.

Vol. 47, p. 285. Post, p. 760.

Effective date and duration.
Postmasters' allowances, etc., correspondingly modified.

Vol. 47, p. 285.

First class matter.

Vol. 47, p. 285, amended. Rate increase, for local delivery repealed. R.S., sec. 3904, p. 759.

Revenue Act of 1932, amendments.

Gasoline, tax continued after June, 1933, Vol. 47, p. 270, repealed.

Postal rates.

President authorized

Revenue Act of 1932 is amended by striking out the followstring of the Revenue Act of 1932 is amended by striking out the followstring: ", or after June 30, 1933, in the case of articles taxable under section 617, relating to the tax on gasoline."

Sec. 2. The President is authorized during the period ending June 30, 1934, to proclaim such modifications of postage rates on mail matter (except that in the case of first-class matter the rate shall not be reduced to less than 2 cents an ounce or fraction thereof) as, after a survey by him, he may deem advisable by reason of increase in business, the interests of the public, or the needs of the Postal Service, and such modifications shall be in effect on and after such date as he shall proclaim and until July 1, 1934. In case a modification of the rate of postage on first-class matter is proclaimed, the President shall also make a corresponding modification in the percentages of gross postal receipts specified in section 1000 (1) of the President Act of 1000 as a residual bettief the President and 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual bettief and the state of 1000 as a residual between the 1001 (c) of the Revenue Act of 1932 as amended by this Act, which percentages shall be in effect during the period such modification of the rate of postage on first-class matter is in effect. Nothing in this section shall be construed as giving the President authority to change the rate fixed by law on first-class matter mailed for local delivery, postal cards, and private mailing or post cards.

SEC. 3. (a) Section 1001 (a) of the Revenue Act of 1932 is for amended by striking out the period at the end thereof and inserting led. a colon and the following: "Provided, That such additional rate shall not apply on or after July 1, 1933, to first-class matter mailed for local delivery."

(b) The first sentence of section 1001 (c) of the Revenue Act of Percentage of receipts in determining 1932 is amended, effective July 1, 1933, by striking out the period at class of post office.

Vol. 47, p. 286, are determined to the following: "except amended to the followin the end thereof and inserting a comma and the following: "except amended." that in the case of such post offices as have city or village lettercarrier service 90 per centum of the gross postal receipts shall be counted for such purpose."

SEC. 4. (a) Effective fifteen days after the date of the enactment Vol. 47, p. 267, of this Act, section 620 of the Revenue Act of 1932 is amended to read as follows:

"SEC. 620. TAX-FREE SALES

Tax-free sales.

"Under regulations prescribed by the Commissioner with the approval of the Secretary, no tax under this title shall be imposed with respect to the sale of any article-

(1) for use by the vendee as material in the manufacture or production of, or as a component part of, an article enumerated in this title;

"(2) for resale by the vendee for such use by his vendee, if Resale by vendee. such article is in due course so resold;

"(3) for resale by the vendee to a State or political subdivision thereof for use in the exercise of an essential governmental

function, if such article is in due course so resold.

For the purposes of this title the manufacturer or producer to Manufacturer or prowhom an article is sold under paragraph (1) or resold under paragraph (2) shall be considered the manufacturer or producer of such article. The provisions of paragraphs (1) and (2) shall not apply with respect to tires or inner tubes or articles enumerated in section 604, relating to the tax on furs."

(b) Effective fifteen days after the date of the enactment of this Act, section 601 (c) (1) of the Revenue Act of 1932 is amended by

adding at the end thereof the following:

"Under regulations prescribed by the Commissioner with the Sales to manufacturer for resale, tax free. approval of the Secretary, no tax shall be imposed under this section upon lubricating oils sold to a manufacturer or producer of lubricating oils for resale by him, but for the purposes of this title such vendee shall be considered the manufacturer or producer of such lubricating oils."

(c) Effective fitteen days after the date of the enactment of this Credits and refunds. Act, section 621 (a) of the Revenue Act of 1932 is amended by amended. inserting after paragraph (2) thereof the following new paragraph:

"(3) to a manufacturer, producer, or importer in the amount of Allowance of sales to tax paid by him under this title with respect to the sale of any States, etc. article to a dealer, if the manufacturer, producer, or importer has in his possession such evidence as the regulations may prescribe that (A) such article has after the date this paragraph takes effect been delivered by the dealer to a State or political subdivision thereof for use in the exercise of an essential governmental function and (B) the manufacturer, producer, or importer has repaid or agreed to repay the amount of such tax to the dealer or has obtained the consent of the dealer to the allowance of the credit or refund.

SEC. 5. Effective fifteen days after the date of the enactment of New section. this Act, title IV of the Revenue Act of 1932 is amended by adding amended. at the end thereof a new section to read as follows:

Articles for further manufacture.

To a State, etc., for official use.

Tires, furs, etc., excluded. Vol. 47, p. 261.

Lubricating oils. Vol. 47, p. 259.

Vendee deemed man-ufacturer, etc.

Condition.

"SEC. 630. EXEMPTION FROM TAX OF CERTAIN SUPPLIES FOR VESSELS

Tax exemptions, ships' stores, supplies, etc.

"Under regulations prescribed by the Commissioner, with the approval of the Secretary, no tax under this title shall be imposed upon any article sold for use as fuel supplies, ships' stores, sea stores, or legitimate equipment on vessels of war of the United States or of any foreign nation, vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions. Articles manufactured or produced with the use of articles upon the importation of which tax has been paid under this title, if laden for use as supplies on such vessels, shall be held to be exported for the purposes of section 601 (b)."

Vol. 47, p. 266, amended.

Sec. 6. (a) Effective September 1, 1933, section 616 of the Revenue Act of 1932 is amended to read as follows:

"SEC. 616. TAX ON ELECTRICAL ENERGY FOR DOMESTIC OR COMMERCIAL CONSUMPTION

Electric energy for domestic or commercial consumption.

Tax payment by vendor.

Resale to tenants construed.

Provisions inappli-

cable. Vol. 47, pp. 267-269. Sale to Federal, State, etc., governments.

Public-owned plants.

Electric energy furnished prior to September 1, 1933.

"(a) There is hereby imposed upon electrical energy sold for domestic or commercial consumption and not for resale a tax equivalent to 3 per centum of the price for which so sold, to be paid by the vendor under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe. The sale of electrical energy to an owner or lessee of a building, who purchases such electrical energy for resale to the tenants therein, shall for the purposes of this section be considered as a sale for consumption and not for resale, but the resale to the tenant shall not be considered a sale for consumption.

"(b) The provisions of sections 619, 622, and 625 shall not be applicable with respect to the tax imposed by this section.

"(c) No tax shall be imposed under this section upon electrical energy sold to the United States or to any State or Territory, or political subdivision thereof, or the District of Columbia. None of the provisions of this section shall apply to publicly owned electric and power plants. The right to exemption under this subsection shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may, by regulation, prescribe."

(b) Despite the provisions of this section the tax imposed under section 616 of the Revenue Act of 1932 before its amendment by this section on electrical energy furnished before September 1, 1933, shall be imposed, collected, and paid in the same manner and shall be subject to the same provisions of law (including penalties) as if this section had not been enacted.

Approved, June 16, 1933, 1 p.m.

[CHAPTER 97.]

AN ACT

To amend the probation law.

June 16, 1933. [H.R. 5208.] [Public, No. 74.]

United States courts. Arrest of probationer, wherever found.

Vol. 43, p. 1260. U.S.C., p. 516. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the second paragraph of section 2 of the Act of March 4, 1925, entitled "An Act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia" (U.S.C., title 18, sec. 725), be, and the same is hereby, amended to read as follows: "At any time within the probation

period the probation officer may arrest the probationer wherever found, without a warrant, or the court which has granted the probation may issue a warrant for his arrest, which warrant may be executed by either the probation officer or the United States marshal of either the district in which the probationer was put upon probation or of any district in which the probationer shall be found and, if the probationer shall be so arrested in a district other than that in which he has been put upon probation, any of said officers may return probationer to the district out of which such warrant shall have been issued."

Return to jurisdic-

Approved, June 16, 1933, 1:05 p.m.

[CHAPTER 98.]

AN ACT

To provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes.

June 16, 1933 [H.R. 5790.] [Public, No. 75.]

Be it enacted by the Senate and House of Representatives of the Farm Credit Act of United States of America in Congress assembled,

TITLE I

Section 1. This Act shall be known as the "Farm Credit Act of 1933."

ESTABLISHMENT OF PRODUCTION CREDIT CORPORATIONS AND BANKS FOR Corporations and Banks for Cooperatives

COOPERATIVES

Production Credit Corporations and Banks for Cooperatives.

Credit

Organization, etc.

SEC. 2. The Governor of the Farm Credit Administration, hereinafter in this Act referred to as the "governor", is authorized and directed to organize and charter twelve corporations to be known as "Production Credit Corporations" and twelve banks to be known as "Banks for Cooperatives." One such corporation and one such bank shall be established in each city in which there is located a Federal land bank. The directors of the several Federal land banks shall be ex officio the directors of the respective Production Credit Corporations and Banks for Cooperatives. Such directors shall have fix compensation. power, subject to the approval of the governor, to employ and fix the compensation of such officers and employees of such corporations and banks as may be necessary to carry out the powers and duties

Location

Directors.

CHARTERS AND BYLAWS

conferred upon such corporations and banks under this Act.

Sec. 3. The charters of the Production Credit Corporations and the Banks for Cooperatives shall be granted by the governor upon application of the directors of the Federal land bank of the proper district, and applications and charters shall be in such form as the governor shall prescribe. The directors shall have power, subject to the approval of the governor, to adopt such bylaws as may be necessary for the conduct of the business of the corporations and banks.

Charters and bylaws.

CAPITAL OF PRODUCTION CREDIT CORPORATIONS

Sec. 4. The capital stock of each Production Credit Corporation Sec. 4. The capital stock of each Production Credit Corporation Capital stock.

Shall be in such amount as the governor determines is required for Mined by governor mined by governor. the purpose of meeting the credit needs of the district to be served by such corporation, and such amount may be increased or decreased from time to time by the governor in accordance with such credit

Production Corporations. Credit

Limitation.

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Payments to be made out of the revolving fund.

Initial capital, subscribed and held by The initial capital stock of each such corporation shall be \$7,500,000, which shall be subscribed for by the governor and held by him on behalf of the United States. Payments on subscriptions to stock by the governor shall be subject to call in whole or in part by the board of directors of the corporation with the approval of the governor. The governor shall make such payments out of the revolving fund created in section 5. The stock ownership of the United States in such corporation shall be evidenced by such means as the governor shall determine.

REVOLVING FUND AND APPROPRIATION

Revolving fund created. Post, p. 348.

Available balances of designated funds to so constitute, etc.

Post, p. 276.

Crop, etc., loans. Vol. 47, p. 5.

Collections on farm loans. Vol. 47, p. 795.

Balances.

Advances, stock or crop production ex-cepted. Vol. 47, p. 713.

Unobligated balances of sums made available by designated Acts.

Post, p. 348. Vol. 47, p. 60. Additional authorizations.

Sums for administra-Post, p. 276.

Use of funds for salaries not restricted

SEC. 5. (a) There is hereby created a revolving fund of not to exceed \$120,000,000 which shall be made up as follows:

(1) The Reconstruction Finance Corporation is authorized and directed to make available to the Governor of the Farm Credit Administration all unobligated balances of the following funds and all sums heretofore returned or released to the corporation from such funds:

(A) Any balances of funds for, and all collections on loans by, the Secretary of Agriculture pursuant to section 2 of the Reconstruction Finance Corporation Act as amended;

(B) All collections on loans made or to be made pursuant to the Act of February 4, 1933 (Public, Numbered 327, Seventysecond Congress);

(C) All balances of funds authorized and directed to be made available to the Secretary of Agriculture by such Act and not used for loans pursuant thereto; and

(D) Any balances of the funds originally directed to be allocated and made available to the Secretary of Agriculture by such Acts except as expended pursuant to subsection (e) of section 201 of the Emergency Relief and Construction Act of 1932.

(2) There are hereby made available to the Governor of the Farm Credit Administration all unobligated balances of appropriations and funds available thereunder to enable the Secretary of Agriculture to make advances or loans under the following Acts and resolutions, and all repayments of such advances and loans: March 3, 1921 (41 Stat. 1347), March 20, 1922 (42 Stat. 467), April 26, 1924 (43 Stat. 110), February 28, 1927 (44 Stat. 1251), February 25, 1929 (45 Stat. 1306), as amended May 17, 1929 (46 Stat. 3), March 3, 1930 (46 Stat. 78, 79), December 20, 1930 (46 Stat. 1032), as amended February 14, 1931 (46 Stat. 1160), and February 23, 1931 (46 Stat. 1276), and Public Resolution Numbered 11, Seventy-second Congress, approved March 3, 1932.

(3) There is hereby authorized to be appropriated the sum of \$40,000,000 out of any money in the Treasury not otherwise appropriated.

(b) There is hereby authorized to be appropriated the sum of \$2,000,000, which shall remain available until expended, for all necessary administrative expenses in connection with the establishment and supervision of the Production Credit Corporations and the Production Credit Associations.

(c) The authority of the Governor of the Farm Credit Administration to allocate and expend out of the funds covered by subsection (a) of this section such amounts as he shall deem necessary for salaries, expenses, and all other administrative expenditures in the execution of the functions for which such funds have hitherto been available shall not be deemed to be restricted by this section.

(d) The authority to make loans during the calendar year 1933 Making farm, etc., rsuant to the Act of February 4, 1933 (Public Numbered 327, Vol. 47, p. 795 pursuant to the Act of February 4, 1933 (Public Numbered 327, Seventy-second Congress), as amended, out of funds made available by that Act shall not be deemed to be restricted by this section.

STOCK OWNERSHIP OF PRODUCTION CREDIT CORPORATIONS IN PRODUCTION CREDIT ASSOCIATIONS

SEC. 6. (a) Each Production Credit Corporation shall have power investments in local to invest its funds in stock of production credit associations as ized. provided in this section. Such corporation is authorized to subscribe and pay for class A stock in each Production Credit Association located in the district served by such corporation in amounts sufficient to maintain the amount of class A stock held by it and other holders of class A stock equal, as nearly as may be, to 20 per centum of the volume of loans made or to be made by such association, as estimated by the corporation, but at no time shall the amount of class A stock outstanding be less than \$5,000 except with the consent of the association. Notwithstanding the provisions of the preceding sentence, (1) the governor, under rules and regulations prescribed by him, may permit a Production Credit Corporation to maintain the class A holdings of stock by the corporation and other investors at such amount, in excess of 20 per centum of such loans, as may be necessary, and (2) the corporation may at any time require the association to retire and cancel stock held by the corporation in such association, if, in the judgment of the corporation, the association has resources available therefor.

(b) Under such rules and regulations as may be prescribed by the governor and subject to such restrictions and limitations as he may prescribe, each Production Credit Corporation is authorized to ative associations. subscribe and pay for stock in production credit associations not organized under this Act if such associations are controlled by cooperative associations as defined in section 55. Only stock which is preferred as to assets on liquidation and is entitled to participate in ion dividend distributions without discrimination may be subscribed for. The amount of the stock subscribed for by any Production Credit Corporation in any such association shall not at any one time exceed 75 per centum of the total paid-in capital of such association.

(c) The amount of the excess of earnings on stock held by the corporation above amounts necessary to pay operating expenses and restore losses and impairment of capital, if any, of the corporation shall be devoted to the creation and maintenance of a surplus equal to at least 25 per centum of the paid-in capital of the corporation. The amount of the surplus shall be invested as the governor shall etc. prescribe in direct obligations of the United States or in class A stock of Production Credit Associations, or both.

(d) The amount of such excess of earnings not required in order earnings to be paid to comply with the provisions of subsection (c) shall be paid into into revolving fund. The revolving fund heretofore authorized. Stock held by the goverthe revolving fund heretofore authorized. Stock held by the gover- ernor's stock nor in the Production Credit Corporation shall be retired upon such payment in an amount equal to the amount of such payment.

Stock ownership of Production Credit Cor-porations in Production Credit Associations.

Post, p. 983.

Amount.

Larger holdings.

Retirement of corpo-ration stock if resources warrant.

Post, p. 266.

Preferred, etc., stock only, to be subscribed

Maximum.

Surplus, to equal 25 per centum of capital, to be created from stock earnings.

To be invested in Federal

TITLE II—PRODUCTION CREDIT ASSOCIATIONS

Production Associations. Credit

ESTABLISHMENT OF PRODUCTION CREDIT ASSOCIATIONS

Section 20. The governor is authorized and directed to organize be organized and charter corporations to be known as "Production Credit tered."

Associations." Such associations may be organized by ten or more farmers desiring to borrow money under the provisions of this

Objects to be specified in articles of incorporation. title.

Regulations to be prescribed.

Fixing maximum loans

Such individuals shall enter into articles of incorporation which shall specify in general terms the objects for which the association is formed and the powers to be exercised by it in carrying out the functions conferred upon it by this Act. Such articles shall be signed by the individuals uniting to form the association and a copy thereof shall be forwarded to the Production Credit Corporation of the district, and such copy shall be filed and preserved in Authority of gov- its office. The governor may, for good cause shown, deny a charter to such individuals. Upon the approval of such articles by the governor, the association shall become as of the date of such approval a body corporate. The governor shall have power, under rules and regulations prescribed by him, or by prescribing the terms of the charter of the association, or both, to provide for the organization, management, and conduct of the business of the association; and the power of the governor shall extend to prescribing the amount of the stock of such association; fixing the territory within which its operations may be carried on; fixing the method of election and appointment of, and the amount and payment of the compensation of, directors, officers, and employees; fixing the maximum amount of individual loans which may be made; prescribing the conditions under which the stock may be retired; and providing for the consolidation of two or more such associations. The governor may, at any time, direct such changes in the charter of any such association as he finds necessary in accomplishing the purposes of this Adoption of bylaws. title. Bylaws of any such association may be adopted by the directors but shall not be valid unless approved by the governor.

STOCK OF PRODUCTION CREDIT ASSOCIATIONS

Sec. 21. The stock of such associations shall be divided into shares of \$5 each; and there shall be two classes of such stock: (1) Class A stock which is to be held by Production Credit Corporations, and which may be purchased and held by investors, and (2) class B stock which may be purchased only by farmer borrowers from the association and individuals eligible to become borrowers. Class B stock only shall be entitled to voting rights but each holder of such stock shall be entitled to no more than one vote. No class B stock, or any interest therein or right to receive dividends thereon, shall be transferred by act of parties or operation of law except to another farmer borrower or an individual eligible to become a borrower, and then only with the approval of the directors of the association. holder of class B stock, within two years after he has ceased to be a borrower, shall exchange such class B stock at the fair book value (not to exceed par) thereof, as determined by the association, for class A stock. All stock shall share in dividend distributions without preference, but the directors of the association may, in their discretion, apply the amount of any dividend payable to a holder of class B stock to any indebtedness of such holder to the association. Class A stock shall be preferred as to assets of the association upon liquidation. During such time as any Production Credit Corporation is a holder of any stock of any such association, the appointment or election of directors, the secretary-treasurer, and the loan committee of such association shall be subject to the approval of the president of the Production Credit Corporation and during such time any such director, secretary-treasurer, or other officer may, at any time, be removed by the president of the Production Credit Corporation.

Division of stock into two classes.

Class A, to be purchased by investors, etc.
Class B, subscribed
by farmer borrowers,

etc. Voting rights

Class B stock not transferable; exception

Exchange, by class B holder.

Dividends

Credit against in-debtedness.

Class A preference in liquidation.

Appointments elections of officers, etc., while Corporation is stockholder. nfficer

EARNINGS OF PRODUCTION CREDIT ASSOCIATIONS

SEC. 22. Each Production Credit Association shall, at the end of Use of excess earnings to defray losses, etc. its fiscal year, apply the amount of its earnings in excess of operating expenses during such fiscal year, first, to making up any losses in excess of its reserve for bad and doubtful debts; second, to the To restore capital restoration of the amount of the impairment, if any, of capital; third, Create reserve for to the creation and maintenance of a reserve account for bad and discharging bad debts, etc. doubtful debts, the amount of which account shall be prescribed by maintenance of a guaranty fund equal to at least 25 per centum of Remainder to dividends; limitations. With the approval of the Production Credit Corporation. the Production Credit Corporation; and fourth, to the creation and with the approval of the Production Credit Corporation, be devoted to the payment of dividends but no rate of dividend in excess of 7 per centum per annum shall be paid. Sums in the guaranty fund herein provided for shall be invested subject to such rules and regulations as may be prescribed by the Production Credit Corporation.

SEC. 23. Each Production Credit Association shall, under such Loans to farmers for rules and regulations as may be prescribed by the Production Credit purposes. SEC. 23. Each Production Credit Association shall, under such Corporation of the district with the approval of the governor, invest its funds and make loans to farmers for general agricultural purposes, but such part of its funds as is represented by the guaranty fund provided for in section 22 shall not be devoted to making loans to farmers. Such loans shall be made on such terms and conditions, at such rates of interest, and with such security as may be prescribed by the Production Credit Corporation. No loan shall be made for a less amount than \$50, nor shall any one borrower be indebted to the association at any one time in an amount in excess of 20 per centum of the capital and guaranty fund of the association or, if the loan is secured by collateral approved by the Corporation, in an amount in excess of 50 per centum of the capital and guaranty fund, but loans may be made to any borrower in an amount in excess of 50 per centum of the capital and guaranty fund if the loan is approved by the Production Credit Commissioner of the Farm Credit Administration. Borrowers shall be required to own, at the time the loan Borrowers to own is made, class B stock in an amount equal in fair book value (not amount of loan. to exceed par), as determined by the association, to \$5 per \$100 or fraction thereof of the amount of the loan. Such stock shall not be canceled or retired upon payment of the loan but may be transferred repayment.

or exchanged as provided in section of or exchanged as provided in section 21.

SEC. 24. Production Credit Associations doing business under this Credit Banks; author-Act are authorized to borrow from, and rediscount paper with, Fedium, and conditions applicable under title II of the Federal Farm Vol. 42, p. 1454; Loan Act, as amended (U.S.C., title 12, ch. 8). Except with the U.S.C., p. 315; Supp. VI, p. 133.

Restriction. have the power to borrow from or rediscount paper with any other

bank or agency.

TITLE III—CENTRAL BANK FOR COOPERATIVES

ESTABLISHMENT OF BANK

Section 30. The governor is authorized and directed to organize Establishment, in and charter a corporation to be known as the "Central Bank for etc." Cooperatives" with its principal office in the District of Columbia and such other offices as in the opinion of the governor may be necessary.

Production credit associations.

Investments.

Funds excluded.

Conditions required.

Central Bank for Cooperatives

BOARD OF CENTRAL BANK

Board of directors Composition, a pointment, etc.

SEC. 31. (a) The board of directors of the Central Bank for

Cooperatives shall consist of seven members, one of whom shall be the Cooperative Bank Commissioner of the Farm Credit Administration, who shall be chairman of the board of directors. The other six directors shall be appointed by the governor, of whom the successsors of three first appointed shall be appointed from nominees

Vacancies.

Terms of office.

selected by borrowers as provided in subsection (b). The terms of the directors first appointed shall be for one, two, and three years as designated by the governor at the time of appointment and their successors shall hold their offices during a term of three years, but a director appointed to fill a vacancy shall hold his office for the unexpired term of the director whose place he is selected to fill. Any appointed director may at any time be removed for cause by the governor. No compensation shall be paid any director as a director of the corporation but the corporation, subject to the approval of the governor, may allow directors a reasonable per diem

No compensation; expenses allowed.

Choosing successors

and expenses.

(b) The successors of three of the directors first appointed shall be selected one each year by the governor from among individuals nominated by borrowers (except Banks for Cooperatives). The governor shall, not less than sixty days prior to the end of the term of any director whose successor is to be appointed from among nominees as herein provided, or as soon as practicable after a vacancy occurs in the office of such director other than by the expiration of his term, cause notice of the vacancy to be sent to each borrower eligible to vote for nominees. Each such borrower shall be eligible to cast one vote. The governor shall not count any ballot received after the expiration of thirty days after the sending of notice. From those (not exceeding three) receiving the highest number of votes, as shown by his count, the governor shall appoint the director.

Each borrower entitled to one vote.

Chairman and board

POWERS OF CHAIRMAN AND BOARD

Powers.

SEC. 32. The chairman of the board of the corporation shall be the executive officer of the corporation and the powers of the board of directors shall be such powers as may be prescribed in the charter and bylaws.

Central Bank.

CAPITAL STOCK OF CENTRAL BANK

Capital stock. Authority of gov-nor to increase or

Limitation Post, p. 263. Shares. Shares.
Subscriptions for, to be paid from revolving fund, Agricultural Marketing Act.
Vol. 46, p. 14; U.S.C., Supp. VI, p. 63.

SEC. 33. The capital stock of the central bank shall be in such or amount as the governor determines is required for the purpose of meeting the credit needs of eligible borrowers from the bank under this title, and the governor may from time to time increase or decrease such amount, subject to the limitations contained in sections 35 and 37, in accordance with such needs. The stock of such bank shall be divided into shares of \$100 each. Out of the revolving fund created under section 6 of the Agricultural Marketing Act, as amended, the governor, on behalf of the United States, shall subscribe for and make payments for stock in the Central Bank and such payment shall be subject to call in whole or in part by the chairman of the board of the Central Bank with the approval of the governor.

LENDING POWER OF CENTRAL BANK

Lending power. Loans to cooperative associations. Vol. 46, p. 14.

SEC. 34. The Central Bank is authorized to make loans to cooper ative associations, as defined in the Agricultural Marketing Act, a amended, including amendments made in Title V of this Act, for

any of the purposes and subject to the conditions and limitations set forth in such Act, as so amended, and to make loans, by way of discount or otherwise and subject to such terms and conditions as may be prescribed by the chairman of the board of the Central Bank, to Banks for Cooperatives established under section 2 of this Act.

Post. p. 265.

Ante, p. 257.

STOCK SUBSCRIPTIONS OF BORROWERS FROM CENTRAL BANK

Sec. 35. (a) Cooperative associations borrowing from the Central stock required. Bank shall be required to own, at the time the loan is made, an amount of stock of the bank equal in fair book value (not to exceed par), as determined by the bank, to \$100 per \$2,000 or fraction thereof of the amount of the loan. Upon discharge of the loan the on payment of loan. stock held by the borrowing association shall be retired and canceled and the association shall be paid therefor, or in case the stock subscription is included in the amount of the loan there shall be credited on the final payment of the loan, an amount equal to the amount paid for the stock or loaned to subscribe for the stock, as the case may be, minus the pro rata impairment, if any, of capital and guaranty fund of the Central Bank, as determined by the chairman of the board

of the Central Bank. (b) In any case in which a cooperative association applying for Requirement waived a loan is not authorized, under the law of the State in which it is not authorize such subscription.

Requirement waived to be a loan is not authorized, under the law of the State in which it is not authorize such subscription. organized, to subscribe for stock in the Central Bank, the bank shall, in lieu of stock subscription, require the borrowing association to pay into a guaranty fund, or the bank may retain out of the amount of the loan and credit to the guaranty fund, an amount equal to the guaranty fund in lieu. amount which the borrowing association would have been required to own in stock if such association had been authorized to hold such stock. Upon discharge of its loan, the provisions of the last sen-charge tence of subsection (a) shall apply with respect to sums of such association in the guaranty fund in the same manner as if such sums were

Proportion to loan.

Cancellation on dis-

EARNINGS AND RESERVES OF CENTRAL BANK

represented by stock.

SEC. 36. The Central Bank for Cooperatives shall, at the end of in covering losses, etc. its fiscal year, apply the amount of its earnings in excess of operating expenses during such fiscal year, first, to making up any losses incurred; second, to the restoration of the amount of the impairment, if any, of capital and guaranty fund as determined by the chairman of the board; and at least 25 per centum of the remainder of such ated. excess of earnings shall be applied to the creation and maintenance of a surplus equal to at least 25 per centum of the amount of the capital and guaranty fund. Any sums remaining may, with the tion approval of the chairman of the board, be devoted to the payment of dividends. Subscribers to the guaranty fund shall be entitled to dividends in the same amounts as subscribers to stock. No rate of dividend in excess of 7 per centum per annum shall be paid. Divi- governor. dends on stock held by the governor, when paid, shall be credited to the revolving fund created under section 6 of the Agricultural Marketing Act, as amended.

Earnings and re-

Guaranty fund cre-

Dividends; restric-

Credit of, held by

DEBENTURES OF CENTRAL BANK

Sec. 37. The Central Bank is authorized to issue debentures, but limited. smount the amount of debentures which may be outstanding may not exceed at any one time five times the paid-in capital and surplus of the bank. Such debentures shall be issued at such times and subject to Terms, interest, security, etc. such terms and conditions as the board of directors shall determine but shall bear such interest rates as may be fixed by the chairman of

Debentures.

Custodian of collateral to be appointed.

the board. Such debentures shall be secured by collateral which shall be at least equal in value to the amount of debentures outstanding and which shall consist of cash, direct obligations of the United States, or notes or other obligations discounted or purchased or representing loans made under section 34. The provisions of law applicable to the preparation and issue of Federal intermediate credit bank debentures shall, so far as applicable, govern the preparation and issue of debentures issued under this section. The governor shall appoint a custodian of such collateral who shall have power subject to such rules and regulations as the governor may prescribe to approve and accept substitutions of collateral.

Loans by central and DIVISION OF LENDING AUTHORITY OF CENTRAL AND REGIONAL BANKS FOR regional banks for cooperatives.

Division of lending authority to be defined.

SEC. 38. The governor shall, by regulation or by prescribing the terms of the charters issued to the Central Bank for Cooperatives and the Banks for Cooperatives, or both, provide such limitations, as between the two types of banks, on the classes of borrowers to which loans may be made and the amount of the loans which may be made to individual borrowers, as will best insure the absence of duplication of effort by the two types of banks and will secure the greatest efficiency in extending the benefits of this title and Title IV to borrowers.

Banks for Cooperatives.

TITLE IV—BANKS FOR COOPERATIVES

Stock.

Amount of.

STOCK OF BANKS

Shares.

Section 40. The capital stock of each Bank for Cooperatives established under section 2 shall be in such amount as the governor determines is required for the purpose of meeting the credit needs of Increase or decrease eligible borrowers from the bank under this title, and such amount may be increased or decreased from time to time by the governor in accordance with such needs. Such stock shall be divided into shares Subscriptions for, to be paid from revolving fund, Agricultural of \$100 each. Out of the revolving fund created under section 6 of the Agricultural Marketing Act, as amended, the governor, on behalf with the Agricultural Marketing Act, as amended, the governor, on behalf of the United States, shall make payments for stock in the banks u.S.C., Supp. VI, p. and such payments shall be subject to call in whole or in part by the of the United States, shall make payments for stock in the banks and such payments shall be subject to call in whole or in part by the board of directors of the bank with the approval of the governor.

LENDING POWER OF BANKS FOR COOPERATIVES

Lending power. Loans to cooperative associations. Vol. 46, p. 14. eiations

Post, p. 265.

Sec. 41. The Banks for Cooperatives are authorized to make loans to cooperative associations for any of the purposes and subject to the conditions and limitations set forth in the Agricultural Marketing Act, as amended, including amendments made by Title V of this Act, and subject to such terms and conditions as may be prescribed by the board of the bank with the approval of the governor.

STOCK SUBSCRIPTIONS AND EARNINGS AND RESERVES

Ownership of stock required, in proportion to loan. Ante, p. 263.

Sec. 42. The provisions of sections 35 and 36 shall apply in the case of Banks for Cooperatives in the same manner and to the same extent as such provisions are applicable to the Central Bank for Cooperatives, except that powers conferred on the chairman of the board of the Central Bank shall be exercised by the boards of directors of the Banks for Cooperatives, subject to the approval of the governor.

RETIREMENT OF STOCK

SEC. 43. The governor may at any time require any such bank to retire and cancel stock held by the governor in such bank, if, in the judgment of the governor, the bank has resources available therefor, and amounts received by the governor in any such case shall be credited to the revolving fund created under section 6 of the Agricultural Marketing Act, as amended.

Retirement of stock.

TITLE V—AMENDMENTS TO AGRICULTURAL MARKET- Agricultural Marketing Act amendments. ING ACT

Section 50. (a) The following provisions of the Agricultural Marketing Act, as amended, are hereby repealed:

(1) Section 3 (relating to Advisory Commodity Committees);

(2) Paragraph (4) of section 5 (relating to powers of the Farm Board to investigate overproduction);

(3) Paragraph (5) of section 5 (relating to miscellaneous investigations by the Farm Board);

(4) Paragraph (3) of subsection (a) of sections; loans to assist in forming clearing house associations); (5) Paragraph (4) of subsection (a) of section 7 (relating to Cooperative marketing of econographic marketing); Vol. 46, p. 14. (4) Paragraph (3) of subsection (a) of section 7 (relating to

education in the advantages of cooperative marketing);
(6) Paragraph (5) of subsection (a) of section 7 (relating to loans to enable cooperatives to advance a greater share of the market price of commodities than is practicable under other credit facilities);

(7) Section 10 (authorizing the Farm Board to assist in forming clearing house associations); and
(8) Section 11 (authorizing the Farm Board to enter into price surance agreements).

Assistance in forming clearing house associations.
Vol. 46, p. 16.
Price insurance Vol. 46, p. 17.

clearing house associations); and

insurance agreements).

(b) The repeal of section 7 (a) (5) shall not be construed to probit the extension, renewal, or refinancing of any loan made therevalues, extended, etc.

Yol. 46, p. 14. hibit the extension, renewal, or refinancing of any loan made thereunder and outstanding on the date of the enactment of this Act, but loans to extend, renew, or refinance any such loan shall bear interest rates as determined under section 8 (a) of the Agricultural Marketing Act as amended by section 54 of this Act.

Sec. 51. Paragraph (1) of subsection (a) of section 7 of the Agri- vol. 46, p. 14, amendcultural Marketing Act, as amended, is amended to read as follows:

"(1) the effective merchandising of agricultural commodities and added. Financing operations food products thereof and the financing of its operations;"

Sec. 52. Paragraph (2) of subsection (a) of section 7 of the Agricultural Marketing Act, as amended, is amended to read as follows:

"(2) the construction or acquisition by purchase or lease, or refinancing the cost of such construction or acquisition, of physical marketing facilities for preparing, handling, storing, processing, or merchandising agricultural commodities or their food products;"

SEC. 53. Subsection (c) of section 7 of the Agricultural Marketing Limitations on loans at an amonded to mand as follows:

Act, as amended, is amended to read as follows:

"(c) Loans for the construction or acquisition by purchase or lease of physical facilities, or for refinancing the cost of such construction or acquistion, shall be subject to the following conditions:

"(1) No such loan shall be made in an amount in excess of 60 cent of value.

per centum of the value of the facilities.

"(2) No loan for the purchase or lease of such facilities shall be rent." made unless the Governor of the Farm Credit Administration finds that the purchase price or rent to be paid is reasonable."

Provisions repealed.

Advisory Commodities Committees.
Vol. 46, p. 12.
Overproduction stud-

vol. 46, p. 13. Miscellaneous inves-

Clearing house loans. Vol. 46, p. 14.

Facilitating price advance, etc.

Physical marketing facilities.

Provisions for refi-nancing cost, added.

Reasonable price or

¹ So in original.

Vol. 46, p. 14, amended.

Loans and advances. Interest rates modifled.

SEC. 54. Subsection (a) of section 8 of the Agricultural Marketing Act is amended to read as follows:

"(a) Loans to any cooperative association shall bear such rates of interest as the Governor of the Farm Credit Administration shall by regulation prescribe, but in no case shall the rate be less than 3 per centum per annum or more than 6 per centum per annum on the unpaid principal. In fixing such rates of interest, the governor shall fix such rates as he deems the needs of the lending agencies require and in the case of loans made for the purposes of section 7 (a) (1) the rate shall, as nearly as practicable, conform to a rate 1 per centum per annum in excess of the Federal Intermediate Credit Bank discount rate at the time the loan is made, and in the case of loans made for the purposes of section 7 (a) (2) the rate of interest shall, as nearly as practicable, conform to the prevailing rate on mortgage loans made to members of national farm-loan associations at the time the loan is made."

Vol. 46, p. 18, amended.

"Cooperative association," defined.

Sec. 55. Subsection (a) of section 15 of the Agricultural Market-

ing Act, as amended, is amended to read as follows:

"(a) As used in this Act the term 'cooperative association' means any association in which farmers act together in collectively processing, preparing for market, handling and/or marketing the farm products of persons so engaged and also means any association in which farmers act together in collectively purchasing, testing, orading and/or processing their farm supplies: Provided, however, Proviso.
Operation for mutual benefit, etc.

grading, and/or processing their farm supplies: Provided, however, benefit, etc. members thereof as such producers or purchasers and conform to one or both of the following requirements:

"First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he

may own therein; and "Second. That the association does not pay dividends on stock

or membership capital in excess of 8 per centum per annum.

"And in any case to the following:

"Third. That the association shall not deal in the products of or supplies for non-members to an amount greater in value than such as are handled by it for members."

Provisions common to corporations created under Act. PROVISIONS COMMON TO CORPORATIONS CREATED UNDER ACT

General corporate

GENERAL CORPORATE POWERS

Section 60. The Central Bank for Cooperatives, and the Production Credit Corporations, the Production Credit Associations, and the Banks for Cooperatives, organized under this Act, shall have succession, until dissolved in accordance with this or any other Act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of their business, to prescribe fees and charges (which in any case shall be subject to the rules and regulations prescribed by the governor) for loans and other services; and shall have such other powers necessary and incident to carrying out their powers and duties under this or any other Act of Congress as may be provided by the governor in their charters or in any amendments thereto. Each such bank, association, or corporation shall, for the purposes of jurisdiction, be deemed a citizen of the State or District within which its principal office is located. No district court of the United States shall have jurisdiction of any action or suit by or against any

Jurisdiction of courts,

Production Credit Corporation or Production Credit Association upon the ground that it was incorporated under this Act or that the United States owns a majority of the stock in it, nor shall any district court of the United States within the land bank district served by such association or corporation have jurisdiction by removal or otherwise of any suit by or against any such association or corporation except in cases by or against the United States or by or against any officer of the United States and except in cases by or Receivers not inagainst any receiver of any such corporation or acceptance. against any receiver of any such corporation or association appointed in accordance with section 65.

EXAMINATIONS

SEC. 61. At least once each year and at such other times as the Annual, etc., examgovernor deems necessary, the Central Bank for Cooperatives, and each Production Credit Corporation. Production Credit Association, and Bank for Cooperatives, organized under this Act, shall be examined by examiners designated by the governor. The governor shall assess the cost of such examinations against the bank, association, or corporation examined, which shall pay such costs to the governor. The amounts so assessed and unpaid shall be a prior lien on all assets of the bank, association, or corporation examined except on assets pledged to secure loans.

Assessment of costs.

FISCAL AGENTS OF UNITED STATES

Sec. 62. The Central Bank for Cooperatives, the Production Credit Corporation and Sec. 62. Corporations, Production Credit Associations, and Banks for Cooperatives, organized under this Act, when designated for that purpose by the Secretary of the Treasury, shall act as fiscal agents of the United States Government and when acting as such shall perform such duties as shall be prescribed by the Secretary of the Treasury.

Corporations made Post, p. 347.

SEC. 63. The Central Bank for Cooperatives, and the Production
Credit Corporations, Production Credit Associations, and Banks for Cooperatives, organized under this Act, and their obligations, shall be deemed to be instrumentalities of the United States, and as such, any and all notes, debentures, bonds, and other such obligations issued by such banks, associations, or corporations shall be exempt both as to principal and interest from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States or by any State, Territorial, or local taxing authority. Such banks, associations, and corporations, their property, their franchises, capital, reserves, surplus, and other funds, and their income, shall be exempt from all taxation now or hereafter imposed by the United States or by any State, Territorial, or local taxing authority; except that any real property and any tangible personal property of such banks, associations, and corporations shall be subject to Federal, State, Territorial, and local taxation to the same extent as other similar property is taxed. The exemption provided herein shall not apply with respect to any Production Credit Association or its property or income after the stock held in it by the empt. Production Credit Corporation has been retired, or with respect to the Central Bank for Cooperatives, or any Production Credit Corporation or Bank for Cooperatives, or its property or income after the stock held in it by the United States has been retired.

Exceptions.

Production Credit Association not

UNLAWFUL ACTS AND PENALTIES

SEC. 64. (a) Whoever makes any material representation know- etc. Post, p. 347. ing it to be false, or whoever willfully overvalues any property or security, for the purpose of influencing in any way the action of the

Unlawful acts and penalties.

Falserepresentations,

Regional credit corporations. Vol. 47, p. 713 Farm Credit Administration or any division, officer, or employee thereof, or of any corporation organized under this Act, or in which a Production Credit Corporation organized under this Act holds stock, or of any regional agricultural credit corporation established pursuant to subsection (e) of section 201 of the Emergency Relief and Construction Act of 1932, upon any application, advance, discount, purchase or repurchase agreement, or loan, or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both.

Counterfeiting, etc.

(b) Whoever (1) falsely makes, forges, or counterfeits any note, debenture, bond, or other obligation, coupon, or paper in imitation of or purporting to be a note, debenture, bond, or other obligation, coupon, or paper issued by the Farm Credit Administration or by any corporation referred to in subsection (a) of this section; or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited note, debenture, bond, or other obligation, coupon, or paper, purporting to have been issued by the Farm Credit Administration or by any such corporation, knowing the same to be false, forged, or counterfeited; or (3) falsely alters any note, debenture, bond, or other obligation, coupon, or paper issued or purporting to have been issued by the Farm Credit Administration or by any such corporation; or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, any of the same as true, knowing it to be falsely altered or spurious, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than five years, or both.

Embezzlement, etc.

(c) Whoever, being an employee, officer, or agent of the Farm Credit Administration or connected in any capacity with any corporation referred to in subsection (a) of this section, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to the Farm Credit Administration or such corporation or pledged or otherwise intrusted to the same; or (2) with intent to defraud the United States, or any such corporation, or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Farm Credit Administration or of any such corporation, makes any false entry in any book, report, or statement of or to the Farm Credit Administration or any such corporation, or draws any order, or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, mortgage, judgment, or decree thereof; or (3) with intent to defraud the United States or any corporation referred to in subsection (a) of this section, participates or shares in or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission, contract, or any other act of any such corporation, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than five years, or both.

Fraud.

(d) Whoever knowingly, with intent to defraud the United States or any corporation referred to in subsection (a) of this section, shall conceal, remove, dispose of, or convert, to his own use or to that of another, any property mortgaged or pledged to, or held by, the Farm Credit Administration, or any such corporation, as security for any obligation, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both.

Criminal Code made applicable. Vol. 35, pp. 1108-1109. U.S.C., p. 475

(e) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U.S.C., title 18, secs. 202 to 207, inclusive), in so far as applicable, are extended to apply to con-

tracts or agreements made by the Farm Credit Administration, its divisions, officers, and employees, and by the corporations referred to in subsection (a) of this section, which, for the purposes hereof, shall be held to include advances, loans, discounts, and purchase and repurchase agreements; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

(f) Whoever conspires with another to accomplish any of the acts made unlawful by the preceding provisions of this section shall, on conviction thereof, be subject to the same fine or imprisonment, or both, as is applicable in the case of conviction for doing such

unlawful act.

LIQUIDATION

SEC. 65. Upon default of any obligation of any Production Credit Corporation, Production Credit Association, or regional Bank for duction credit associations, etc. Cooperatives, such bank, association, or corporation may be declared insolvent and placed in the hands of a receiver by the governor and proceedings shall thereupon be had in accordance with the provisions of law relating to the insolvency of national farm-loan associations. Any such bank, association, or corporation may, with the consent of the governor, liquidate voluntarily, but only in accordance with such rules and regulations as the governor may prescribe.

Sec. 66. No director, officer, or employee of the Central Bank for

Cooperatives, or of any Production Credit Corporation, Production Credit Association, or Bank for Cooperatives shall be paid compensation at a rate in excess of \$10,000 per annum. No officer or employee of the Farm Credit Administration engaged in carrying out the provisions of titles I to VI, inclusive, of this Act shall be

paid compensation at a rate in excess of \$10,000 per annum.

Conspiracy.

Pay limitations

TITLE VII—AMENDMENTS TO FEDERAL FARM LOAN ACT

Section 70. Effective January 1, 1934, the fourteenth paragraph of direction of the section of t section 4 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 683), is amended by adding after the first sentence the fol- ployment. lowing: "Not more than one director of a Federal land bank may amended. serve the bank or the Farm Credit Administration as an officer or employee. Except with the approval of the Farm Loan Commissioner, no director (other than the director who may be an officer or strictions. sioner, no director (other than the director who may be an officer or employee) shall receive compensation or allowances for any services rendered any Federal land bank in his capacity as director for more

which compensation is paid for attendance at directors' meetings."

Sec. 70a. (a) Effective one year after the enactment of this Act, section 4 of the Federal Farm Loan Act, as amended, is amended as

than thirty days in any one calendar year exclusive of the period for

(1) The ninth paragraph of such section (U.S.C., title 12, sec.

678) is amended to read as follows:

"The board of directors of every Federal land bank shall be selected as hereinafter specified and shall consist of seven members. Three of said directors shall be known as local directors of whom one shall be chosen by and be representative of national farm-loan associations and borrowers through agencies, one shall be chosen by and be representative of Production Credit Associations organized under the Farm Credit Act of 1933, and one shall be chosen by and be representative of borrowers from regional Banks for Cooperatives organized under the Farm Credit Act of 1933. Three of the seven directors shall be known as district directors and shall be appointed by the Governor of the Farm Credit Administration of whom two

Federal Farm Loan Act Amendments.

Federal land banks, irectors. Restriction on em-

Board of directors.

U.S.C., p. 301.

Composition.

Membership.

District directors.

shall represent the public interest and one shall represent national farm-loan associations and borrowers through agencies and such director shall be a borrower from a Federal land bank. The terms of office of local and district directors shall be three years." Nominations. Vol. 39, p. 863; Vol. 42, p. 1474. U.S.C., p. 301.

(2) The tenth paragraph of such section (U.S.C., title 12, sec.

679) is amended to read as follows:

"At least two months before an election of a local director the Land Bank Commissioner shall cause notice in writing to be sent to those entitled to nominate candidates for such local director. In the case of an election of a director to represent national farm-loan associations and borrowers through agencies, such notice shall be sent to all national farm-loan associations and borrowers through agencies in the district; in the case of an election to represent Production Credit Associations, such notice shall be sent to all Production Credit Associations in the district; and in the case of a director to represent borrowers from Banks for Cooperatives, such notice shall be sent to all cooperatives which are borrowers at the time of sending notice. Within ten days of receipt of such notice those entitled to nominate the director shall forward nominations of residents of the district to the Land Bank Commissioner. The Land Bank Commissioner shall, from such nominations, then prepare a list of candidates for such local director consisting of the ten nominees receiving the highest number of votes."

(3) The eleventh paragraph of such section (U.S.C., title 12, sec.

680) is amended to read as follows:

"At least one month before the election of a local director the Land Bank Commissioner shall mail to each person or organization entitled to elect the local director the list of the ten candidates nominated in accordance with the tenth paragraph of this section. the case of an election of a director to represent national farm-loan associations and borrowers through agencies, the directors of each farm-loan association shall east the vote of such association for one of the candidates on the list. In voting under this section each such association shall be entitled to cast a number of votes equal to the number of stockholders of such association and each borrower through agencies shall be entitled to cast one vote. In voting under this section each Production Credit Association shall be entitled to cast a number of votes equal to the number of the class B stockholders of such associations. In voting under this section each cooperative which is a holder of stock in a Bank for Cooperatives (except the Governor of the Farm Credit Administration) shall be entitled to cast one vote. The votes shall be forwarded to the Land Bank Commissioner and no vote shall be counted unless forwarded to him within ten days after the list of candidates is received. In case of a tie the Land Bank Commissioner shall determine the choice. The nominations from which the list of candidates is prepared, and the votes of the respective voters, as counted, shall be tabulated and preserved and shall be subject to examination by any candidate for at least one year after the results of the election is announced."

(4) The sixth and seventh sentences of the twelfth paragraph of such section (U.S.C., title 12, sec. 681) are amended to read as follows: "The Governor of the Farm Credit Administration shall select a director at large for the district who shall hold his office during a term of three years. Such seventh director may be removed by the Governor of the Farm Credit Administration at any time."

(b) Subsection (a) shall apply only to the appointment or election of the successors of directors of land banks whose regular terms expire after the effective date of such subsection. The successors of

Local directors. Vol. 39, p. 363; Vol. 42, p. 1475. U.S.C., p. 301.

Division of districts.

Notice of.

Election of.

District directors.
Director at large;
appointment, removal,
etc.

Provisions restricted to successors of present incumbents. Division of.

the first local director whose regular term so expires shall be elected by and be representative of Production Credit Associations and the successors of the second local director whose regular term so expires shall be elected by and be representative of borrowers from Banks for Cooperatives. The successors of the third local director whose regular term so expires shall be elected by and be represented.

national farm-loan associations and borrowers through agencies.

Sec. 71. Paragraph "Sixth" of section 14 of the Federal Farm Vol. 47, p. 1649.

U.S.C., p. 307.

Bank restrictions.

Accepting as security.

Loan Act, as amended, is amended to read as follows:
"Sixth. To accept as additional security for any loan to any borrower under this Act, or any installment on any such loan, any personal property which is exempt from execution upon judgment under the laws of the State in which the load with under the laws of the State in which the land with respect to which

the mortgage is given is situated."

SEC. 72. Notwithstanding the provisions of the fourth paragraph U.S.C., p. 309, p. of section 9 of the Federal Farm Loan Act, as amended (U.S.C., title Responsibility 19, co. 744), the shareholders of national farm-loan associations 12, sec. 744), the shareholders of national farm-loan associations shall not be held individually responsible for any contract, debt, or engagement of such association entered into after the date of the enactment of this Act, but this section shall not be construed to relieve any other liability with respect to stock held by such share-

Sec. 73. Paragraph "Second" of section 12 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 771), is amended by Land banks, charges inserting after "exceeding" where it appears the second time a for making loans. comma and the following: "except with the approval of the

Governor of the Farm Credit Administration,".

SEC. 74. The first sentence of paragraph "Sixth" of section 12 of Vol. 39, p. 371; U.S.C., the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 771),

is amended to read as follows:

"No such loan shall be made to any person who is not at the time, Classes to whom or shortly to become, engaged in farming operations or to any other extended. person unless the principal part of his income is derived from farming operations.

Sec. 75. (a) Paragraph "Fourth" of section 14 of the Federal p. 307. Vol. 39, p. 373, U.S.C., Farm Loan Act, as amended (U.S.C., title 12, sec. 791), is amended by inserting after "bonds" the following: "(including consolidated

bonds issued on its behalf) ".

(b) Section 21 of the Federal Farm Loan Act, as amended, is dorsed, deleted in amended by striking out of the fourth and tenth paragraphs thereof certain provisions of (U.S.C., title 12, secs. 874 and 880) the word "indorsed" wherever U.S.C., p. 1476; the same appears in said paragraphs.

"(b) Such institutions shall be established in the same cities as amended. the twelve Federal Land Banks. The directors of the several Fed-Directors. eral Land Banks shall be ex officio directors of the several Federal Intermediate Credit Banks hereby provided for and shall have power, subject to the approval of the Governor of the Farm Credit Administration, to employ and fix the compensation of such officers Compensation provisions. and employees of such Federal Intermediate Credit Banks as may be necessary to carry on the business authorized by this title.

(b) Paragraph (1) of subsection (a) of section 202 of the Fed-Discounts and loans eral Farm Loan Act, as amended (U.S.C., title 12, sec. 1031), is U.S.C., p. 316 amended to read as follows:

"(1) To discount for, or purchase from, any national bank, Credit unions in and/or any State bank, trust company, agricultural credit corpor rowers. ration, incorporated livestock loan company, savings institution,

373;

o f

vol. 43, p. Vol. 46, p. 816.

Direct loans author-

Security.

Vol. 42, p. U.S.C., p. 316. 1455:

Direct loans to associations of agricultural or livestock producers.

Security.

Other approved collateral added. Proviso. Value limit.

Other paper cepted.

Vol. 39, p. 382; U.S.C., p. 314, amended. False statements by mortgagee in sale to any Federal land bank.

Punishment for.

of land Powers Vol. 47, pp. 14, 1548; U.S.C., p. 307.

Provision for equally naring a defaulted sharing a mortgage.

Classes of cooperative cooperative bank, credit union, cooperative association of agriculvol. 43, pp. 1264; tural producers, organized under the laws of any State or of the Government of the United States, and/or any other Federal Intermediate Credit Bank, with its endorsement, any note, draft, bill of exchange, debenture, or other such obligation the proceeds of which have been advanced or used in the first instance for any agricultural purpose or for the raising, breeding, fattening, or marketing of livestock; and to make loans or advances direct to any such organ-Discount, etc., paper ization, secured by such obligations; and to discount for, or purchase of Production Credit Association organized under the Farm Credit Act of 1933 or any production credit association in which a Production Credit Corporation organized under such Act holds stock, with its endorsement, any note, draft, bill of exchange, debenture, or other such obligation presented by such association, and to make loans and advances direct to any such association secured by such collateral as may be approved by the Governor of the Farm Credit Administration;"

(c) Paragraph (3) of subsection (a) of section 202 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 1031), is amended to read as follows:

"(3) To make loans or advances direct to any cooperative association organized under the laws of any State and composed of persons engaged in producing, or producing and marketing, staple agricultural products, or livestock, if the notes or other such obligations representing such loans are secured by warehouse receipts, and/or shipping documents covering such products, and/or mortgages on livestock, and/or such other collateral as may be approved by the Governor of the Farm Credit Administration: Provided, That no such loan or advance, when secured only by warehouse receipts and/or shipping documents, and/or mortgages on livestock, shall exceed 75 per centum of the market value of the products covered by said warehouse receipts and/or shipping documents, or of the livestock covered by said mortgages; and to accept drafts or bills of exchange issued or drawn by any such association when secured by warehouse receipts and/or shipping documents covering staple agricultural products as herein provided."

Agricultural Credits
Act, 1923.

New credit corporations under, forbidden.
Vol. 42, p. 1461;

Federal Farm Loan

Sec. 77. After the date of the enactment of this Act, no national agricultural credit corporation shall be formed under the provisions of the title II of the Agricultural Credits Act of 1923.

Sec. 78. Section 31 of the Federal Farm Loan

Sec. 78. Section 31 of the Federal Farm Loan

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Sec. 78. Section 31 of the Federal Farm Loan

Sec. 78. Section 31 of the Federal Farm Loan

(U.S.C., title 12, sec. 986), is amended by adding at the end thereof a new paragraph, as follows:

"Any mortgagee who shall knowingly make any false statement in any paper, proposal, or letter, relating to the sale of any mortgage, to any Federal land bank under the provisions of section 13 of this Act, as amended, or any appraiser provided for in this Act who shall willfully overvalue any land securing such mortgage, shall be punished by a fine of not exceeding \$5,000 or by imprisonment not exceeding one year, or both."

Sec. 79. Section 13 of the Federal Farm Loan Act, as amended

(U.S.C., title 12, sec. 781), is amended by adding at the end thereof

the following new paragraph:

"Fourteenth. To enter into agreements with national farm-loan associations of the district under the terms of which losses incurred and gains realized on account of the disposition of lands covered by a defaulted mortgage indorsed by such association will be shared equally by the bank and the association."

TITLE VIII—MISCELLANEOUS

Miscellaneous.

Section 80. (a) After the date of the enactment of this Act, the missioner known here-lice of Farm Loan Commissioner shall be known as the office of the after as Land Bank office of Farm Loan Commissioner shall be known as the office of the after as Land Land Bank Commissioner and the Farm Loan Commissioner shall third paragraph of section 3 of the Federal Farm Loan Act, as amended (U.S.C., title 12, sec. 653), prescribing a term of office of eight years shall not apply to incumbents hereafter appointed to the office of Land Bank Commissioner.

(b) There shall be in the Farm Credit Administration three comcreased to three.
issioners who shall be known, respectively, as the Production Vol. 39, p.
issioners who change the Convertion Real Commissioners and the commissioners and the commissioners are also commissioners. missioners who shall be known, respectively, as the Production Credit Commissioner, the Cooperative Bank Commissioner, and the Intermediate Credit Commissioner. Such commissioners shall be appointed by the President, by and with the advice and consent of the Senate. They shall receive an annual salary of \$10,000, payable monthly, together with actual necessary traveling expenses. Such commissioners shall perform such duties as may be assigned to them by law or by the governor of the Farm Credit Administration.

SEC. 81. The signature of the Land Bank Commissioner on Attesting Consider's signature Federal farm-loan bonds shall be attested by any Deputy Land Bank

Commissioner.

Sec. 82. The authority and powers conferred upon the governor Governor's author-under this Act shall not be construed to be in substitution for Powers herein grant-authority and powers conferred upon him under existing law but existing law. shall be construed to be supplementary to such authority and powers.

SEC. 83. This Act shall not be construed to repeal subsection (e) Regional Agricultural credit Corporations. Section 201 of the Emergency Relief and Construction Act of Vol. 47, p. 713. of section 201 of the Emergency Relief and Construction Act of

1932

SEC. 84. The Reconstruction Finance Corporation is authorized, Capital may be rewith the approval of the Governor of the Farm Credit Administration, to reduce the capital of any Regional Agricultural Credit Corporation by such action as may be suitable for the purpose. The Difference to form a revolving fund; use, funds made available by any such reduction shall constitute a revolving fund, all or any part of which shall be available for use from time to time by the Reconstruction Finance Corporation for the purpose of increasing, with the approval of the Governor of the Farm Credit Administration, the capital of any Regional Agricultural Credit Corporation.

SEC. 85. The Farm Credit Administration shall have a seal, as Farm Credit Administration; seal.

adopted by the governor, which shall be judicially noticed.

Sec. 86. Subdivision (a) of section 10 of the Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such assessment of expenses incurred by reason of expenses incurred by the expenses in expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes," approved May 12, 1933, is amended by inserting before the period at the end of the first sentence a colon and the following:
"And provided further, That the State Administrator appointed to a State administer this Act in each State shall be appointed by the President, pointee. by and with the advice and consent of the Senate."

Sec. 87. If any provision of this Act, or the application thereof separability provito any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or

circumstances, shall not be affected thereby. SEC. 88. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 16, 1933, 1:10 p.m.

in-

sal-

Duties.

Attesting Commis-

Emergency Agricul-ural Relief Act Post. p. 1263.

State Administrator
Presidential ap-

Amendment.

86637°—34——18

[CHAPTER 99.]

AN ACT

June 16, 1933 [H.R. 5239.] [Public, No. 76.]

To extend the provisions of the Act entitled "An Act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes.

offering final authorized.
Vol. 47, pamended.

Be it enacted by the Senate and House of Representatives of the Homestead entries, United States of America in Congress assembled, That the Act Extension of time for entitled "An Act to extend the period of time during which final proof." proof may be offered by homestead entrymen", approved May 13, p. 153, 1932, is amended to read as follows:

Pending entry necessary.

"That the Secretary of the Interior is hereby authorized to extend for not exceeding two years the period during which annual or final proof may be offered by any person who has a pending homestead or desert-land entry upon public lands of the United States on which at the date of this Act or on any date on or prior to Proof of residence, December 31, 1934, under existing law, annual or final proof is required, showing residence, cultivation, improvements, expenditures, or payment of purchase money as the case may be: Provided, That any such entryman shall be required to show that it is a hardship upon himself to meet the requirements incidental to annual or final proof upon the date required by existing law due to adverse weather or economic conditions: And provided further, That this Act shall apply only to cases where adequate relief is not available under existing law.

Provisos. Adverse to be shown. conditions

> "Sec. 2. The Secretary of the Interior is authorized to make such rules and regulations as are necessary to carry out the purposes of

Rules to be pre-

Limitation on application of Act.

Approved, June 16, 1933, 1:15 p.m.

[CHAPTER 100.]

AN ACT

June 16, 1933. [H.R. 6034.] [Public, No. 77.]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes.

Fourth Deficiency Act, fiscal year 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1933, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1933, and June 30, 1934, and for other purposes, namely:

Legislative.

LEGISLATIVE ESTABLISHMENT

Pages, Houses of Congress. Ante, p. 29.

For the payment of pages from the end of the first session of the Seventy-third Congress to and including June 30, 1933, as follows: For twenty-one pages for the Senate Chamber at the rate of pay provided by law, so much as may be necessary.

For forty-one pages for the House of Representatives, including ten pages for duty at the entrances to the Hall of the House, at the rate of pay provided by law, so much as may be necessary.

Senate.

SENATE

Inquiries and investigations, expenses.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1934, \$100,000.

HOUSE OF REPRESENTATIVES

House of Representa-tives.

Police force, House Office Building, under the Sergeant at Arms: Office Building. Six privates at the rate of \$1,620 per annum each, fiscal year 1934, \$8,910.

CAPITOL POLICE

Capitol Police.

Salaries: Eight privates at \$1,620 per annum each, fiscal year 1934, \$11,880; one half of such privates to be selected by the Sergeant at Arms of the Senate and one half by the Sergeant at Arms of the House.

Salaries.

For purchasing and supplying uniforms and motor cycles to Uniforms, motor-Capitol police, and for contingent expenses, fiscal year 1934, \$1,460.

One half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one half by the

Clerk of the House.

President.

ARCHITECT OF THE CAPITOL

Architect of the Capitol.

Senate Office Building: For four female attendants, Senate Office ing. Senate Office ing. Female attendants. Building, at \$1,080 per annum each, fiscal year 1934, \$3,960.

Senate Office Build-

EXECUTIVE OFFICE AND INDEPENDENT ESTABLISHMENTS

Executive, etc.

NATIONAL INDUSTRIAL RECOVERY AND TENNESSEE VALLEY AUTHORITY

For the purpose of carrying into effect the provisions of the Act entitled "An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of

National Industrial ecovery and Tennes-ee Valley Authority.

Ante, p. 195.

certain useful public works, and for other purposes", approved June 16, 1933, and also for the purpose of carrying into effect the provisions of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933, and for each and every object thereof, to be expended in the discretion and under the direction of the President, to be immediately available, and except as hereinafter provided to remain available until June 30, 1935, \$3,300,-000,000; of which not to exceed \$50,000,000 shall be available to the Tennessee Valley Authority, and to remain thority available until expended, for the purpose of carrying out the provisions of the Act of Congress entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933, including the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction and/or purchase of transmission lines and other facilities, the construction of the Cove Creek Dam and powerhouse and all other necessary works authorized by said Act, and for printing and binding, law books, books of reference, Printing, etc. newspapers, periodicals, purchase, maintenance and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley

Ante, p. 22.

Ante, pp 58, 71.

Purchase of land, etc. Construction, etc.

Printing and bind-

Authority, including reimbursements for any expenses prior to the enactment of this appropriation incurred at the direction of the Reimbursement for Farm Credit Administration.

FARM CREDIT ADMINISTRATION

Additional sum. Ante, p. 258. For an additional amount for the revolving fund created by section 5 of the Farm Credit Act of 1933, approved June 16, 1933, \$40,000,000.

Production Credit Corporations and Associations. Administrative expenses. Ante, p. 258.

For all necessary administrative expenses in connection with the establishment and supervision of the Production Credit Corporations and the Production Credit Associations authorized by the Farm Credit Act of 1933, approved June 16, 1933, including personal services in the District of Columbia and elsewhere, printing and binding, and all other necessary expenses, fiscal year 1934, \$2,000,000, to be immediately available and to remain available until expended.

Federal Trade Commission.

FEDERAL TRADE COMMISSION

Additional sum. Post, p. 291. For an additional amount for the Federal Trade Commission for the fiscal year 1934, including the same objects specified under this head in the Independent Offices Appropriation Act for the fiscal year 1934, \$250,000, of which \$25,000 shall be available immediately. For an additional amount for printing and binding for the Federal

Printing and binding.

Trade Commission, fiscal year 1934, \$15,000.

Federal Home Loan Bank Board.

FEDERAL HOME LOAN BANK BOARD

Home financing, etc. Ante, p. 134.

Encouragement of savings and home financing: To enable the Federal Home Loan Bank Board to encourage local thrift and local home financing and to promote, organize, and develop Federal Savings and Loan Associations or similar associations organized under local laws, in accordance with the provisions of section 6 of an Act entitled "Home Owners' Loan Act of 1933," approved June 13, 1933, \$150,000, to be immediately available and to remain available until expended.

George Rogers Clark Sesquicentennial Commission. Completion of me-

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

morial. Post, p. 292. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$250,000, or so much thereof as may be necessary, for the completion of the memorial authorized by section 2 of the joint resolution approved May 23, 1928, as amended, to be erected at or near the site of Fort Sackville in the city of Vincennes, Indiana, in commemoration of the winning of the Old Northwest and the achievements of George Rogers Clark and his associates in the war of the American Revolution, and for the acquisition and removal of all structures on the site of such memorial, and for the grading, filling, and landscaping of the grounds thereof. Such sum shall be expended by the George Rogers Clark Sesquicentennial Commission in the manner provided in section 2 of such joint resolution, as amended.

Vol. 45, p. 724.

District of Columbia.

DISTRICT OF COLUMBIA

Judgments.

Expenditure.

JUDGMENTS

Payment of.

For the payment of final judgments, including costs, rendered against the District of Columbia, as fully set forth in schedules accompanying the letters of the budget officer for the District of Columbia, dated June 2, 1933, and June 10, 1933, to the Director of the Bureau of the Budget separately transmitted to the Seventy-third Congress, first session, with communications from the President of the United States to the Speaker of the House of Representatives, dated June 9, 1933, together with the further sum to pay interest,

at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due, until the date

Interest.

of payment, \$11,278.71, and such sum shall be paid out of the payable. You will be paid to the United by the United You 47, p. 343. revenues of the District of Columbia and the Treasury of the United States in the manner prescribed in the District of Columbia Appropriation Act for the fiscal year 1933.

Fund from which

DEPARTMENT OF THE INTERIOR

Interior Department.

GENERAL LAND OFFICE

General Land Office.

To pay to Marion F. Blackwell the fair and reasonable value of all improvements placed by him upon the southeast quarter southwest quarter section 27, township 2 south, range 6 west, Saint Stephens meridian, Mississippi, as determined by the Secretary of the Interior, in accordance with the Act of February 15, 1933, fiscal year 1933, \$1,000.

Marion F. Blackwell. Land improvement.

Vol. 47, p. 1724.

BUREAU OF INDIAN AFFAIRS

Bureau of Indian Affairs.

Sequoyah Orphan Training School, Tahlequah, Oklahoma: The raining School, Oklahoma: The perpended balances of appropriations available during the fiscal Balance available. Vol. 47, p. 106 unexpended balances of appropriations available during the fiscal year 1933 for the construction of physical improvements at the Sequoyah Indian Orphan Training School, near Tahlequah, Oklahoma, are hereby continued available for use during the fiscal year 1934.

1933, \$232,086.80, to remain available until June 30, 1934, and to be apportioned to claimants within the several Pueblos as follows: Tesuque, \$1,094.63; Nambe, \$19,393.59; Taos, \$14,064.57; Tenorio Tract, Taos Pueblo, \$43,165.26; Santa Ana (El Ranchito grant), \$846.26; Santo Domingo, \$66; Sandia, \$5,354.46; San Filipe, \$16,424.68; Isleta, \$6,624.45; Picuris, \$11,464.73; San Ildefonso, \$16,209.13; San Juan, \$19,938.22; Santa Clara, \$35,350.88; Cochiti, \$9,653.81; Pojoaque, \$1,767.26; Laguna, \$30,668.87.

DEPARTMENT OF JUSTICE

Department of Jus-

CONTINGENT EXPENSES

Contingent expenses.

For additional amounts for contingent expenses, Department of Justice, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the fiscal years that follow:

For 1930, \$2.87; For 1932, \$116.91.

United States Courts.

UNITED STATES COURTS

Fees of commissioners: For additional amounts for fees of commissioners, United States courts, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the fiscal years that follow:

For 1925, \$7.80; For 1930, \$11.05 For 1931, \$3,896.70; For 1932, \$12,374.92.

Miscellaneous expenses: For an additional amount for miscel- Miscellaneous exlaneous expenses, United States courts, including the same objects penses specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1930, \$24.61.

Supplies.

Supplies: For additional amounts for supplies for United States courts, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the fiscal years that follow:

For 1931, \$1.40; For 1932, \$545.

Department of La-

DEPARTMENT OF LABOR

Employment Serv-

UNITED STATES EMPLOYMENT SERVICE

National employment system.
Ante, p. 113.

For carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933, including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings concerned with the work of the United States Employment Service when specifically authorized by the Secretary of Labor; law books, books of reference and periodicals, printing and binding, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, fiscal year 1934, \$1,500,000.

Department of State.

DEPARTMENT OF STATE

International Mone-ary and Economic tary and Economic Conference. Expenses of partici-

pation. Vol. 47, p. 538.

Post, p. 1041.

Mixed Claims Com-mission, United States and Germany. Vol. 42, p. 2200; Vol. 45, p. 2698.

Vol. 42, p. 1939.

Final report.

INTERNATIONAL MONETARY AND ECONOMIC CONFERENCE

For an additional amount for the expenses of participation by the United States in an international monetary and economic conference to be held in London, including the same objects specified under this head in the Second Deficiency Act, fiscal year 1933, \$125,000, to

remain available during the fiscal year 1934.

Mixed Claims Commission United States and Germany: For expenses of determining the amounts of claims against Germany by the Mixed Claims Commission established under the agreement concluded between the United States and Germany on August 10, 1922, and subsequent agreement between those Governments, for the determination of the amount to be paid by Germany in satisfaction of the financial obligations of Germany under the treaty concluded between the Governments of the United States and Germany on August 25, 1921, including the expenses which under the terms of such agreement of August 10, 1922, are chargeable in part to the United States, and the preparation of a final report by the American Commissioner and the orderly arrangement for preservation and disposition of the records of the Commission; and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of claims and the presentation thereof before said Mixed Claims Commission, and the preparation of a final report of the agent and the orderly arrangement for preservation of the records of the agency and the disposition of property jointly owned by the two Governments, including salaries of an agent and necessary counsel and other assistants and Employment of country employees, rent in the District of Columbia, employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, and for contract stenographic reporting services without regard to R.S., Sec. 3709, p. 733. section 3709 of the Revised Statutes (U.S.C., title 41, sec 5), law Printing and bind. books and books of reference, printing and binding, contingent expenses, traveling expenses, press-clipping service, for all necessary and appropriate expenses in connection with proceedings under the Act entitled "An Act to amend the Act approved July 3, 1930 (46 Stat., p. 1005), authorizing Commissioners or members of international tribunals to administer oaths, and so forth ", approved of witnesses, and such other expenses in the United States and else-expenses. where as the President may down the states and else-expenses. where as the President may deem proper, fiscal year 1934, \$35,700.

Traveling expenses. Vol. 46, p. 1005. Ante, p. 117.

etc..

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Treasury Department. Secretary's Office.

Subscriptions to paid-in surplus of Federal land banks: To enable the Secretary of the Treasury to pay for subscriptions to the paid-in surplus of Federal land banks in accordance with the provisions

Federal land banks. Subscription to paid in surplus surplus.

Antle, p. 43.

Post, p. 1060. surplus of Federal land banks in accordance with the provisions of section 23 of an Act entitled "Emergency Farm Mortgage Act of 1933", approved May 12, 1933, \$50,000,000, to be available immediately and to remain available until expended.

Payments to Federal land banks on account of reductions in Payments to, reductions in tion in interest on interest rate on mortgages: To enable the Secretary of the Treasury mortgages. to pay each Federal land bank such amount as the Farm Loan Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced, in accordance with the provisions of section 24 of an Act entitled "Emergency Farm Mortgage Act of 1933", approved May 12, 1933, fiscal year 1934, \$15,000,000.

Subscriptions to preferred shares in Federal Savings and Loan Loan Associations.

Sociations: To enable the Secretary of the Treasury to make pay
Subscriptions to Associations: To enable the Secretary of the Treasury to make payments on account of subscriptions to preferred shares in Federal Savings and Loan Associations in accordance with the provisions of section 5 (g) of an Act entitled "Home Owners' Loan Act of 1933", approved June 13, 1933, \$50,000,000, to be immediately available and to remain available until expended.

shares.
Ante, p. 133.

Payment for capital stock of the Federal Deposit Insurance Corsurance Corporation.

Federal Deposit Insurance Corporation.

Ante, p. 168. poration: To enable the Secretary of the Treasury to make payment for capital stock of the Federal Deposit Insurance Corporation in accordance with the provisions of paragraph (c) of section 12B of the Act entitled "Banking Act of 1933", approved June 16, 1933, \$150,000,000, to be immediately available and to remain available until expended.

OFFICE OF THE SUPERVISING ARCHITECT

Supervising tect's Office. Archi-

Agricultural Department Buildings, Washington, District of Department of Agriculture.

Columbia: The authorization contained in the Act of July 3, 1926

(44 Stat., p. 874), for the acquisition of a site and the construction able for equipment, of an extensible building for the use of the Department of Agriculture, as modified by the Act of March 4, 1931 (46 Stat., p. 1604), under an estimated total cost of \$12,800,000, is hereby further modified so as to make the appropriations provided under the authority of so as to make the appropriations provided under the authority of said Acts available for the purchase and installation of all necessary fixed laboratory equipment and fixed mechanical equipment incident thereto and for special treatment of floors and walls in connection with laboratories.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims.

DAMAGE CLAIMS

Damage claims.

Section 1. For the payment of claims for damages to or losses of Settlement of, not in privately owned property, adjusted and determined by the following respective departments and independent office, under the provisions

Vol. 42, p. 1066. U.S.C., p. 989.

of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U.S.C., title 31, secs. 215-217), and certified to the Seventy-third Congress in a communication from the President of the United States to the Speaker of the House of Representatives, dated June 9, 1933, under the following departments and independent office, namely:

Department of Agriculture, \$302.07; Department of Commerce, \$20.24;

Department of Justice, \$608.89;

Post Office Department, payable out of postal revenues, \$3,930.47;

Treasury Department, \$95.80; Public Buildings and Public Parks of the National Capital, \$167.81;

In all, \$5,125.28.

United States courts, indements.

JUDGMENTS, UNITED STATES COURTS

Payment of, for suits in admiralty.

Vol. 43, p. 1112, U.S.C., p. 1529.

Sec. 2. For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U.S.C., title 46, sec. 787) and certified to the Seventythird Congress in a communication from the President of the United States to the Speaker of the House of Representatives dated June 9,

Under Navy Depart-

1933, under the following departments, namely:
Navy Department: C. Pateras and Sons and others (United States District Court, Eastern District of Virginia, May 8, 1933, damages due to collision between the steamship Constantinos Pateras and the United States steamship Falcon), \$10,942.55. War Department: Wilmington and Pennsgrove Transportation

War Department.

Company (United States District Court, Eastern District of Pennsylvania, May 11, 1933, loss of ferryboat Harding Highway owing to collision with United States dredge W. L. Marshall), \$28,819.80.

Vol. 43, p. 1112. U.S.C., p. 1529.

Interest.

Total judgments under Public Vessels Act, \$39,762.35, together with such additional sum as may be necessary to pay interest on any such judgment where specified therein and at the rate provided by law.

Time of payments.

None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

SEC. 3. For the payment of the judgments rendered by the Court of Claims as set forth in the schedule transmitted to the Seventythird Congress, first session, in a communication from the President of the United States to the Speaker of the House of Representatives, dated June 9, 1933, under the following departments, namely:

Interior Department: William S. Ferris, trading as Do/More

Under Interior Department.

Chair Company (March 13, 1933, M-365, chairs purchased under contract), \$585.

Navy Department.

Navy Department: Snare and Triest Company (now Frederick Snare Corporation), a corporation (June 6, 1932, E-325, contract for water-front improvement), \$5,474.80; John R. Brady (March 13, 1933, H-173, difference in pay), \$768.75; Tampa Shipbuilding and

Engineering Company (March 13, 1933, M-128, repair of dredge), \$1,892.60; Clarence V. Lee (May 8, 1933, M-318, rental and subsistence allowances), \$4,685.47; Arthur L. Bristol (May 8, 1933, M-330, rental and subsistence allowances), \$8,883.16; in all, under

Navy Department, \$21,704.78.

War Department: International Arms and Fuze Company (December 5, 1932, C-220, contract for rifle grenades—Ordnance), \$102,-459.85; Johnson and Higgins, of California (March 13, 1933, K-89, damage to and loss of cargo), \$2,365.12; L. Gertner, senior, trading as Fort Dodge Boiler Works (January 9, 1933, K-438, contract for installation of heating system at Army and Navy General Hospital, Hot Springs, Arkansas), \$9,992; in all, War Department, \$114,816.97.

Total, judgments, Court of Claims, \$137,106.75: Provided, That none of the judgments contained under this caption which have not been affirmed by the Supreme Court or otherwise become final and conclusive against the United States shall be paid until the expiraconclusive against the United States shall be paid until the expira-tion of the time within which application may be made for a writ of certiorari under subdivision (b), section 3, of the Act entitled "An Act to amend the Judicial Code, and to further define the juris-diction of the circuit courts of appeals and of the Supreme Court, and for other purposes", approved February 13, 1925 (U.S.C., title 28, sec. 288).

Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days

in this Act shall not in any case continue for more than thirty days

after the date of approval of the Act.

War Department

Proviso. Time of payment.

Vol. 43, p. 939. U S.C., p. 900.

Interest.

AUDITED CLAIMS

SEC. 4. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1930 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U.S.C., title 5, sec. 266), in the schedule transmitted to the Seventy-third Congress, first session, by the President of the United States in a communication to the Speaker of the House of Representatives, dated June 9, 1933, there is appropriated as follows:

Audited claims.

Payment of.

Vol. 18, p. 110. U.S.C., p. 1022.

Legislative lishment.

LEGISLATIVE ESTABLISHMENT

For salaries, officers and employees, House of Representatives, \$21.60.

INDEPENDENT OFFICES

Independent Offices

Estab-

For medical and hospital services, Veterans' Bureau, \$35,159.51. For military and naval compensation, Veterans' Administration, \$1,515.

For military and naval insurance, Veterans' Bureau, 10 cents. For vocational rehabilitation, Veterans' Bureau, \$30.33.

DEPARTMENT OF AGRICULTURE

Department of Agriculture

For salaries and expenses, Bureau of Animal Industry, \$50. For salaries and expenses, Bureau of Entomology, \$2.47.

DEPARTMENT OF COMMERCE

Department of Com-

For air navigation facilities, \$3,900.90.

Vol. 23, p. 254. U.S.C., p. 43

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For conservation of health among Indians, \$33.

Department of Justice.

DEPARTMENT OF JUSTICE

For books, Department of Justice, \$4.25.

For books for judicial officers, \$88.84.
For printing and binding, Department of Justice and courts, \$63.65.

For detection and prosecution of crimes, \$11. For supplies for United States courts, \$3.35.

For protecting interests of the United States in customs matters, 60 cents.

For salaries, fees, and expenses of marshals, United States courts, \$2,797.89.

For salaries and expenses of clerks, United States courts, \$59.64.

For fees of commissioners, United States courts, \$355.95. For fees of jurors, United States courts, \$165.

For fees of witnesses, United States courts, \$54.60. For fees of jurors and witnesses, United States courts, \$27.90.

Department of La-

DEPARTMENT OF LABOR

For expenses of regulating immigration, \$1,529.47. For miscellaneous expenses, Bureau of Labor Statistics, \$2.80.

Navy Department.

NAVY DEPARTMENT

For pay, miscellaneous, \$8.40.

For increase of compensation, Naval Establishment, \$7.38.

For ordnance and ordnance stores, Bureau of Ordnance, \$5,957.20 For engineering, Bureau of Engineering, \$2,823. For pay of the Navy, \$650.06.

For pay, subsistence, and transportation, Navy, \$706.32. For maintenance, Bureau of Supplies and Accounts, \$20.68. For medical department, Bureau of Medicine and Surgery, \$137.

For care of the dead, Bureau of Medicine and Surgery, \$29. For aviation, Navy, \$59,475.16. For pay, Marine Corps, \$144.39. For general expenses, Marine Corps, \$33.99.

Department of State.

DEPARTMENT OF STATE

For contingent expenses, foreign missions, \$47.73.

Treasury Department.

TREASURY DEPARTMENT

For increase of compensation, Treasury Department, \$303.75.

For public-debt service, \$36.02.

For Coast Guard, \$375.75.
For collecting the internal revenue, \$4.
For refunding internal-revenue collections, \$5.

For pay of other employees, Public Health Service, 90 cents. For rebuilding and repairing stations, and so forth, Coast Guard

For marine hospital, Carville, Louisiana, \$101.55.

War Department.

WAR DEPARTMENT

For pay, and so forth, of the Army, \$17,952.56.

For pay of the Army, \$2,712.60. For armament of fortifications, \$31,731.

For registration and selection for military service, \$24.

For citizens' military training camps, \$138.60. For increase of compensation, Military Establishment, \$2,870.89. For Reserve Officers' Training Corps, \$60. For pay, and so forth, of the Army, War with Spain, \$41.25.

For Army transportation, \$985.32.

For general appropriations, Quartermaster Corps, \$988.94.

For supplies, services, and transportation, Quartermaster Corps,

For replacing ordnance and ordnance stores, \$1,990.04.

For arming, equipping, and training the National Guard, \$46.31. For pay of National Guard for armory drills, \$127.85.

For mileage of the Army, \$24. For Air Corps, Army, \$136.66. For manufacture of arms, \$4,658.51.

For construction and repair of hospitals, \$24.

For headstones for graves of soldiers, \$4.58.

POST OFFICE DEPARTMENT-POSTAL SERVICE

Post Office Depart-

Postal Service.

(Out of the postal revenues)

For city delivery carriers, \$436.16. For clerks, first- and second-class post offices, \$140.15. For compensation to postmasters, \$261.93.

For indemnities, domestic mail, \$239.07. For indemnities, international mail, \$28.28.

For miscellaneous items, first- and second-class post offices, \$1,300.

For rent, light, and fuel, \$276.27. For separating mails, \$170.80. For special delivery fees, \$146.38. For star route service, 33 cents.

Total, audited claims, section 4, \$184,419.09, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

SEC. 5. Section 8 of the Act entitled "An Act to provide for the nance Corporation purpurchase by the Reconstruction Finance Corporation of preferred chase of insurance company hands attempts and the latest and the l stock and/or bonds and/or debentures of insurance companies"

approved June 10, 1933, is hereby amended to read as follows:
Sec. 8. The seventh sentence of paragraph (6) of section 201 (a) of such Act, as amended, is hereby amended to read as follows:
"The aggregate of loans made under clause (a) shall not exceed \$8,000,000, and the aggregate of loans made under clause (b) shall not exceed \$12,000,000."

pany bonds, etc. Ante, pp. 20, 99, 121.

Amount increased.

SHORT TITLE

Short title of Act.

This Act may be cited as the "Fourth Deficiency Act, fiscal year 1933."

Approved, June 16, 1933, 1:20 p.m.

[CHAPTER 101.]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes.

June 16, 1933. [H.R. 5389.] [Public, No. 78.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Appropriation Offices sums are appropriated, out of any money in the Treasury not other1934.

Independent Offices Act, wise appropriated, for the Executive Office and sundry independent

Appropriation for fis-cal year ending June 30, 1934. vear ending June 30, 1024, page 15. year ending June 30, 1934, namely:

Executive Office.

EXECUTIVE OFFICE

Compensation.

COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

President Vice President.

For compensation of the President of the United States, \$75,000. For compensation of the Vice President of the United States. \$12,750.

Office of the Presi-

OFFICE OF THE PRESIDENT

Secretaries, and office nersonnel.

Proviso Temporary details.

Salaries: For personal services in the office of the President, including the Secretary to the President, and two assistant secretaries to the President at \$9,500 each; \$106,000: Provided, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Contingent expenses.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items, to be expended in the discretion of the President, \$33,733.

Printing and binding. Traveling, etc., expenses.

For printing and binding, \$2,000.

Traveling expenses: For traveling and official entertainment expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, \$20,000.

Executive Mansion,

EXECUTIVE MANSION AND GROUNDS

Care, repair, etc.

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act. \$120,000, to be immediately available.

Traveling, etc., ex-

Total, Executive Office, \$369,483.

Independent estab-lishments.

INDEPENDENT ESTABLISHMENTS

Alien Property Custodian.

ALIEN PROPERTY CUSTODIAN

Use of funds for automobile expenses forbidden.

Funds available to the office of the Alien Property Custodian for administrative expenses in the District of Columbia shall not be used for the purchase, maintenance, operation, and/or repair of any passenger automobile.

American Battle Monuments Commission.
All expenses.

AMERICAN BATTLE MONUMENTS COMMISSION

Vol. 42. p. 1509. U.S.C., p. 1182.

For every expenditure requisite for or incident to the work of the American Battle Monuments Commission authorized by the Act entitled "An Act for the creation of an American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes", approved March 4, 1923 (U.S.C., title 36, secs. 121-133), including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act without submission to the Attorney General of the United States under the provisions of

Title to land foreign countries.

section 355 of the Revised Statutes (U.S.C., title 34, sec. 520; title 40, sec. 255); the maintenance of memorials erected by the Commission until the Secretary of War is advised of their complete in the assumes their maintenance; employment of personal services in the trict.

Travel expenses. Office expenses. lishment of offices and the rent of office space in foreign countries; abroad. the maintenance, repair, and operation of motor-propelled passengercarrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; printing, Printing and bindbinding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the purchase of maps, textbooks, newspapers, and periodicals, \$129,000, to be immediately available and to remain available until expended: or regulations and under such terms and conditions as the Commission may in its discretion deem necessary and proper the Commisabroad. may contract for work in Europe, and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: Provided further, That the Commission may purchase materials and supplies without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$500: Provided further, That when traveling on business of the Commission officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission.

R.S., sec. 355, p. 60. U.S.C., pp, 1122, 1302.

Services in the Dis-

Minor purchases, etc, without advertising. R.S., sec. 3709, p. 733 U.S.C., p. 1309.

Traveling expenses, etc., of Army officers

ARLINGTON MEMORIAL BRIDGE COMMISSION

For continuing the construction of the Arlington Memorial Bridge Continuing constructions the Potomac River at Washington, authorized in an Act Vol. 43, p. 974; titled "An Act to provide for the construction of a memorial Vol. 45, p. 721. across the Potomac River at Washington, authorized in an Act entitled "An Act to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, and for other purposes", approved February 24, 1925 (43 Stat., p. 974), to be expended in accordance with the provisions and conditions of the said Act, \$198,000, of which \$25,000 shall be available for widening and resurfacing the present road from the memorial entrance of the cemetery to the southeast corner of the cemetery, conditioned upon the State of Virginia completing the construction of the Lee Boulevard link of the Virginia State highway system to the same point; and not exceeding \$20,000 shall be available for clerical and accounting service, including all necessary incidental and contingent expenses, printing and binding, and traveling expenses, to remain available until expended: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not aveced 6700 B) when R.S., sec. 3709, p. 733 aggregate amount involved does not exceed \$50: Provided R.S., sec. 3709, p. 733. U.S.C., p. 1309. Reconstruction, etc., the cost of reconstructing and paving Constitution Avenue east of Virginia Avenue, as provided in the approved project. except for all portions as may abut upon Governments. excess of 40 per centum of the cost of such reconstructing and paving of that portion of the said street which so abuts.

Arlington Memorial Bridge Commission.

Resurfacing, road.

Ante, p. 230.

BOARD OF MEDIATION

For five members of the Board, and for other authorized expenditures of the Board of Mediation in performing the duties imposed by law, including personal services contract stenographic reporting Board of Mediation.

Members of Board. All other expenses.

services; supplies and equipment; law books and books of reference; not to exceed \$200 for newspapers; periodicals; traveling expenses; and rent of quarters outside the District of Columbia; \$119,000, of which amount not to exceed \$107,000 may be expended for personal services in the District of Columbia.

Arbitration Boards. Vol. 44, p. 586. U.S.C., p. 2110. Post, p. 511.

Arbitration boards: To enable the Board of Mediation to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their necessary traveling expenses and expenses actually incurred for subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, the unexpended balances of the appropriations for this purpose available for the fiscal year 1933 are hereby continued available for the fiscal year 1934.

Vol. 47, p. 454.

Emergency boards: For expenses of emergency boards appointed by the President to investigate and report respecting disputes between carriers and their employees, as authorized by section 10, Railway Labor Act, approved May 20, 1926 (U.S.C., Supp. V, title 45, sec. 154), the unexpended balances of the appropriation for this purpose for the fiscal years 1930 and 1931 reappropriated and made available for the fiscal years 1932 and 1933, respectively, are hereby continued available for the fiscal year 1934.

Vol. 44, p. 586. U.S.C., Supp. VI, p. 804. Post, p. 511.

Emergency boards.

For all printing and binding for the Board of Mediation, \$1,000. Total, Board of Mediation, \$120,000.

Printing and bind-

Board of Tax Ap-

BOARD OF TAX APPEALS

All expenditures. Vol. 43, p. 336; Vol. 44, p. 105; Vol. 45, p. 871; Vol. 47, p. 286. For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under title IX, section 900, of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other

Printing and bind-

may be expended for personal services in the District of Columbia. For all printing and binding for the Board of Tax Appeals,

necessary supplies, \$468,000, of which amount not to exceed \$444,000

Total, Board of Tax Appeals, \$490,000.

Civil Service Commission.

CIVIL SERVICE COMMISSION

Commissioners and office personnel.
Examination of Presidential postmasters.

Miscellaneous

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of presidential postmasters, and including not to exceed \$1,000 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, Traveling expenses, and for personal services in the field; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for expenses of examinations and investiga-tions held elsewhere than at Washington, including not to exceed \$1,000 for expenses of attendance at meetings of public officials when specifically directed by the Commission; for furniture and other equipment and repairs thereto; supplies; advertising; telegraph,

telephone, and laundry service; freight and express charges; streetcar fares not to exceed \$300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed \$1,000; charts; purchase, exchange, maintenance, and repair of motor trucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, \$1,028,000: Provided, That no details from any executive department or independent establishment in the District of Columbia or else-ments, etc., in where to the Commission's central office in Washington or to any of District forbidden. its district offices shall be made during the fiscal year ending June 30, 1934, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: Provided further, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Provisos. Details from Depart-

For all printing and binding for the Civil Service Commission, P

Transfers between of-fice and field forces.

including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, \$22,000.

Printing and bind-

Total, Civil Service Commission, \$1,050,000.

COMMISSION OF FINE ARTS

Commission of Fine

Expenses. Vol. 36, p. 371. U.S.C., p. 1295.

For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (U.S.C., title 40, sec. 104), including the purchase of periodicals, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$8,500, of which amount not to exceed \$5,270 may be expended for personal services in the District of Columbia.

For all printing and binding for the Commission of Fine Arts, Printing and bind-

Total, Commission of Fine Arts, \$8,800.

EMPLOYEES' COMPENSATION COMMISSION

Employees' Compensation Commission

For three Commissioners and other personal services in the District Commissioners and Columbia, including not to exceed \$1,000 for temporary experts office personnel. of Columbia, including not to exceed \$1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding \$8 per day, and for personal services in the field; for furniture and other equipment and repairs thereto; law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; \$345,000.

For all printing and binding for the Employees' Compensation ing. Printing and bind-

Commission, \$4,000.

Employees' compensation fund: For the payment of compensation fund.

Employees' Compensation for employees vol. 39, pp. 743, 747.

Vol. 39, pp. 743, 747.

Vol. 39, pp. 743, 747. of the United States suffering injuries while in the performance of their duties, and for others purposes", approved September 7, 1916 (U.S.C., title 5, sec. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy

Recoveries.

Proviso. Catherine Panturis, monthly payments to, from Employees' compensation fund. Vol. 46, p. 2123.

Burial, etc., expenses. hospitals; the transportation and burial expenses provided by sections 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1934 or in prior fiscal years; \$3,820,000: Provided, That the permanent appropriation made in Private Act Numbered 378, approved February 26, 1931, is repealed after June 30, 1933, and the payment authorized by such Act shall thereafter be made from the "Employees' compensation fund."

Total, Employees' Compensation Commission, \$4,169,000.

Vocational Education Board.

Vocational Educa

Extending benefits to Hawaii. Vol. 39, p. 929. U.S.C., p. 609.

Vol. 43, p. 17. U.S.C., p. 612.

Extending benefits to Puerto Rico. Vol. 39, p. 929, U.S.C., p. 609,

Vol. 46, p. 1489. U.S.C., pp. 609, 948; Supp. VI, pp. 349; 627.

Cooperative educa-tion in agriculture and home economics.

Vol. 45, p. 1151. U.S.C., Supp. p. 349.

Proviso Computation of apportionment to States.

Salaries and penses.

Vol. 45, p. 1151, U.S.C., Supp. p. 349. VI,

Vocational rehabilitation.

Persons disabled in

FEDERAL BOARD FOR VOCATIONAL EDUCATION

VOCATIONAL EDUCATION

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure", approved February 23, 1917 (U.S.C., title 20, secs. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of creation laws to the Territory of Hawaii", approved March 10, 1924 (U.S.C., title 20, sec. 29), \$25,700.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure", approved February 23, 1917 (U.S.C., title 20, secs. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U.S.C., title 20, secs. 11-18; title 29, secs. 31-35; U.S.C., Supp. VI, title 20, sec. 30), \$84,000.

Cooperative vocational education in agriculture and home economics: For carrying out the provisions of section 1 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved February 5, 1929 (U.S.C., Supp. VI, title 20, secs. 15a, 15c), \$1,275,000: Provided, That the apportionment to the States shall be computed on the basis of not to exceed \$1,275,000 for the fiscal year 1934, as authorized by the Act approved February 5, 1929 (U.S.C., Supp. VI, title 20, secs. 15a, 15c).

Salaries and expenses: For carrying out the provisions of section 2 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved February 5, 1929 (U.S.C., Supp. VI, title 20, secs. 15b, 15c), \$68,000, of which amount not to exceed \$54,000 may be

expended for personal services in the District of Columbia.

VOCATIONAL REHABILITATION

Persons disabled in industry.

Expenses.
Vol. 41, p. 735; Vol. 43, p. 431; Vol. 46, p. 524;
Vol. 47, p. 448.
U.S.C., p. 948; Supp.
VI, p. 628.

Cooperative

Industry—Rehabilitation: For carrying out

Act entitled "An Act to provide for the promotion of vocationar rehabilitation of persons disabled in industry or otherwise and their return to civil employment" approved June 2, 1920 (U.S.C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U.S.C., title 29,

sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U.S.C., Supp. VI, title 29, secs. 31-40), \$969,000: Provided, That the minimum allotment to any State hereunder for the fiscal year 1934 shall to States.

be \$8,840.

Salaries and expenses: For making studies, investigations, and Salaries and expenses. reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the and their placements in suitable of gainful occupations, and 101 and administrative expenses of said Board incident to performing the duties imposed by the Act of June 2, 1920 (U.S.C., title 29, sec. 35), Vol. 41, n. 735; Vol. 43, as amended by the Act of June 5, 1924 (U.S.C., title 29, sec. 31), and Vol. 47, p. 448; the Acts of June 9, 1930, and June 30, 1932 (U.S.C., Supp. VI, title VI.S.C., p. 948; Supp. 1932 (U.S.C., Supp. VI, title VI., p. 628, 1948). 29, secs. 31, 40), including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere, as the Board may deem necessary, actual traveling and other necessary expenses incurred by the members of the Board and by its employees, under its orders; including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia, and elsewhere, purchase of books of reference, law books, and periodicals, newspapers not to exceed \$50, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding, and all other necessary expenses, \$55,000, of which amount not to exceed \$47,000 may be expended for personal services in the District of Columbia.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, dents of District of travel and subsistence, and payment of expenses of training, place-Vol. 45, p. 1260.

ment, and other phases of rehabilitating disabled residents of the OSC., Supp. VI. p. travel and subsistence, and payment of expenses of training, place- we ment, and other phases of rehabilitating disabled residents of the 629. ment, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (U.S.C., Supp. VI, title 29, secs. 47–47e), \$11,000.

Appropriations available to the Federal Board for Vocational able for attendance at Education for salaries and expenses shall be available for expenses educational association and other

of attendance at meetings of educational associations and other organizations which in the discretion of the Board are necessary for the efficient discharge of its responsibilities.

Total, Federal Board for Vocational Education, \$2,487,700.

Proviso. Minimum allotment

and ex-

FEDERAL FARM BOARD

The appropriation hereby made for the Federal Farm Board for Appropriations for, the fiscal year 1934 shall, if the Executive order dated March 27, Credit Administration, 1933, creating the Farm Credit Administration, goes into effect, be if Executive Order No. 1933, creating the Farm Credit Administration, goes into effect, be of the Executive Order No. 1934 effective. available during such fiscal year for administrative expenses of the Farm Credit Administration, in addition to other funds made available therefor by the provisions of said Executive order, in the same manner as if this appropriation had been transferred by such

Executive order.

For salaries and expenses in accordance with the provisions of the "Agricultural Marketing Act," approved June 15, 1929 (U.S.C., Vol. 46, p. 11.

Supp. V, title 7, secs. 521–535f), not including the salaries of members of the Federal Farm Board, except the salary of the member designated as chairman, and the Act creating a Division of Coop
Marketing in the Department of Agriculture, approved July 59.

Salaries and expenses.

Vol. 46, p. 11.

U.S.C., Supp. VI, p.

Usc. C., Supp. VI, p.

Control of CoopVol. 44, p. 802.

U.S.C., Supp. VI, p. erative Marketing in the Department of Agriculture, approved July 59. 2, 1926 (U.S.C., Supp. VI, title 7, secs. 451-457), including stenographic reporting services to be obtained by the Board through the civil service or by contact 1; not to exceed \$750 for newspapers and

Federal Farm Board.

¹ So in original.

Traveling expenses.

Attendance at meet-

limit.

Provises.
Transfer of funds for cooperative work by departments, etc.

Salary restriction.

Appointments with-out regard to Classifi-cation and Civil Serv-

Federal Oil Conservation Board.

Expenses.

FEDERAL OIL CONSERVATION BOARD

For the expenses of the Federal Oil Conservation Board convened by the President on December 19, 1924, and for each purpose connected therewith, to be expended by the secretary of the Board under the supervision of the Secretary of the Interior, under general regulations to be approved by the Board, \$7,803.

FEDERAL POWER COMMISSION

Federal Power Com-

Expenses. Vol. 41, p. 1063; Vol. 46, p. 797. U.S.C., Supp. VI, p. 233.

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including personal services; traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; reimbursement to governmental

clippings; membership fees or dues in organizations which issue publications to members only or to members at a lower price than Supplies and serv- to others, payment for which may be made in advance; manuscripts, data, and special reports by purchase or by personal services without R.S., sec. 3709, p. 733. services without regard to section 3709 of the Revised Statutes Vehicles. (U.S.C., title 41, sec. 5) when the aggregate are serviced statutes not exceed \$50; purchase and exchange, maintenance, repair, and

operation of motor-propelled passenger-carrying vehicles and motor trucks to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the District of Columbia and elsewhere; traveling expenses, including attendance at meetings concerned with

the work of the Federal Farm Board; payment of actual transportation expenses and not to exceed \$10 per diem to cover subsistence and other expenses while in conference and en route from and to his home to any person other than an employee or a member of an

advisory commodity committee whom the Board may from time to time invite to the city of Washington and elsewhere for conference

and advisory purposes in furthering the work of the Board; the employment of persons, firms, and others for the performance of special services, including legal services and other miscellaneous expenses, all unexpended balances of appropriations for the Federal

Farm Board, not exceeding \$1,050,000, are hereby made available for the purposes enumerated in this paragraph: Provided, That during the fiscal year 1934, when the Federal Farm Board requires cooperative work by any department or independent establishment

of the Government within the scope of the functions of such department or establishment and which such department or establishment is unable to perform within the limits of its appropriations, the Federal Farm Board may transfer from this appropriation to such

department or establishment, with the approval of the head thereof, such sum or sums for direct expenditure during the fiscal year 1934, as may be necessary for the performance of such additional work: Provided further, That no part of this appropriation shall be used

to pay any salary in excess of \$10,000 per annum, or any salary in excess of \$8,500 per annum except to the member of the Board designated as the chairman and not to exceed eight other officers or employees, which number, in addition to any officers or employees

who under existing law may be so appointed and compensated, may

tice Acts. Vol. 42, p. 1488; Vol. hereafter be appointed and compensated without regard to the provisions of the Classification Act of 1923, as amended, and civil vI, p. 31.
visions of the Classification Act of 1923, as amended, and civil service laws. service laws.

agencies of the cost of furnishing motor-driven passenger-carrying vehicle service, and not exceeding \$1,000 for law books, books of reference, newspapers, and periodicals; \$207,000, of which amount not to exceed \$188,000 shall be available for personal services in the District of Columbia.

For all printing and binding for the Federal Power Commission, Printing and bind-\$3,000.

Total, Federal Power Commission, \$210,000.

FEDERAL RADIO COMMISSION

Federal Radio Com-mission.

For five commissioners, and for all other authorized expenditures of the Federal Radio Commission in performing the duties imposed by the Radio Act of 1927, approved February 23, 1927, as amended, the Ship Act of 1910, approved June 24, 1910, as amended, Executive Order Numbered 5892, dated July 20, 1932, and the International Radiotelegraphic Convention, including personal services, contract stenographic reporting services, rental of quarters, newspapers. periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$25, improvement and care of grounds and repairs to buildings, not to exceed \$1,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, \$620,000, of which amount not to exceed \$338,000 may be expended for personal services in the trict. District of Columbia.

Commissioners and other expenses. Vol. 44, p. 1162; Vol. 46, p. 50. Vol. 36, p. 629. Executive Order No 5892. Vol. 45, p. 2760.

Reporting, etc.

R.S., sec. 3709, p. 733 U.S.C., p. 1309.

For all printing and binding for the Federal Radio Commission, Printing and bind-\$20,000.

Total, Federal Radio Commission, \$640,000.

FEDERAL TRADE COMMISSION

Federal Trade Com-mission.

Commissioners and other expenses. Vol. 38, p. 717. U.S.C., p. 356 Ante, p. 276.

For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rental, traveling expenses, including not to exceed \$900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, not to exceed \$300 for newspapers, foreign postage, and witness fees, and mileage in accordance with section 9 of the Federal witness fees, and mileage in accordance with section 9 of the Federal Trade Commission Act; \$900,000, of which \$230,000 shall be available for the completion of the public utilities investigation underhereafter no new investigations shall be initiated by the Commission investigations. taken pursuant to S. Res. 83, Seventieth Congress: Provided, That as the result of a legislative resolution, except the same be a concurrent resolution of the two Houses of Congress.

For all printing and binding for the Federal Trade Commission, ing. Printing and bind-\$20,000.

Total, Federal Trade Commission, \$920,000.

GENERAL ACCOUNTING OFFICE

General Accounting Office.

Salaries: For Comptroller General, Assistant Comptroller Gen-Comptroller Gen-Assistant eral, and other personal services in the District of Columbia and personnel elsewhere, \$3.110,000.

Comptroller General, Assistant, and office

Contingent expenses.

Contingent expenses: For traveling expenses, including stenographic reporting service outside of the District of Columbia not exceeding \$2,500, by contract or otherwise; materials, supplies, equipment, and services; rent of buildings and equipment; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and other office appliances, including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; \$110,000: Provided, That section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of \$50.

Proviso.
Minor purchases.
R.S., sec. 3709, p. 733.
U.S.C., p. 1309.

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$60,000.

Printing and bind-

Total, General Accounting Office, \$3,280,000.

George Rogers Clark Sesquicentennial Com-mission.

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

Participation

For carrying into effect the provisions of the joint resolution penses.
Memorial commem-entitled "Joint resolution providing for the participation of the orating schievements in winning of old Northwest. Vol. 45, p. 724; Vol. 46, p. 1459. Vol. 45, p. 724; Vol. 46, p. 1459. Vol. 47, p. 1459. Vol. 48, p. 1459. appropriation for the construction of a permanent memorial of the Revolutionary War in the West, and of the accession of the old Northwest to the United States on the site of Fort Sackville, which was captured by George Rogers Clark and his men February 25, 1779," approved May 23, 1928 (45 Stat., pp. 723, 724), as amended by the Act of February 28, 1931 (46 Stat., pp. 1459-1460), \$96,650.

Ante, p. 276. Post, p. 364.

Interstate Commerce Commission.

INTERSTATE COMMERCE COMMISSION

Salaries and

SALARIES AND EXPENSES

Commissioners, etc.

Reporting services.

Proviso. Rent restriction.

General administrative expenses: For eleven commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at \$10,000 each per annum, traveling expenses, and contract stenographic reporting services; \$2,400,000, of which amount not to exceed \$2,155,000 may Services in the Dis- be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed \$50,000; not exceeding \$150,000 for holding field hearings; not Books, furniture, etc. exceeding \$3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding \$100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule: Provided, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission.

Regulating accounts: To enable the Interstate Commerce Commis-

Regulating accounts: To enable the Interstate Commerce Commis-by railroads. Vol. 34, p. 593; Vol. 41, p. Act to regulate commerce as amended by the Act approved June 90 Act to regulate commerce as amended by the Act approved June 29, U.S.C., pp. 1668-1906 (U.S.C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U.S.C., title 49, sec. 20), including the employment of necessary special accounting agents or examiners, and traveling Services in the Diservices in the Diservices, \$750,000, of which amount not to exceed \$172,000 may be expended for personal services in the District of Columbia: Provided, That for the portion of the fiscal year 1933 remaining after penditures for personal the date of enactment of this Act the amount which may be expended services, fiscal year for personal services in the District of Columbia from the 1933 appropriation for the purposes included in this paragraph shall be at the annual rate of \$175,000.

Safety of employees. To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; Vol. 32, p. 85; Vol. 32, p. 943; the Act requiring common carriers to make reports of accidents and Actional Actions of the Act requiring common carriers to make reports of accidents and Actional Actions of the Action of the Act the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (U.S.C., title 45, sec. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (U.S.C., title 45, secs. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, \$445,000, of which amount not to exceed \$78,000 may be expended for personal services in the District of Columbia.

Signal safety systems: For all authorized expenditures under section 26 of the Act to regulate commerce as amended by the

section 26 of the Act to regulate commerce as amended by the Transportation Act, 1920 (U.S.C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control.

Automatic train control.

Automatic train control.

Vol. 34, p. 838.
U.S.C., 1441. scribed by the commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (U.S.C., title 45, sec. 35), and including the employment of the necessary engineers, and for traveling expenses, \$35,000, of which amount not to exceed \$27,500 Personal the District may be expended for personal services in the District of Columbia.

Locomotive inspection: For all authorized expenditures under the tion.

Locomotive inspection: For all authorized expenditures under the tion.

Provisions of the Act of February 17, 1911, entitled "An Act to Vol. 36, p. 913; Vol. 36, p. 1192; Vol. 36, p. 1192; Vol. 36, p. 1192; Vol. 37, p. 1192; Vol. 38, p. 1192; Vol pelling common carriers engaged in interstate commerce to equip 1441. their locomotives with safe and suitable boilers and appurtenances thereto" (U.S.C., title 45, sec. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotives and tender" (U.S.C., title 45, sec. 30), and amendment of June 7, 1924 (U.S.C., title 45, sec. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspection to the number authorized in the first paragraph of section (33, p. 659; Vol. 46, p. 679; Vol. 4 4 of the Act of 1911 (U.S.C., title 45, sec. 26), and the amendment U.S.C., pp. 1438, of June 27, 1930 (U.S.C., Supp. VI, title 45, secs. 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, \$435,000, of which amount not to exceed the District.

S60,000 may be expended for personal services in the District of Columbia.

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An vol. 37, p. 701; vol. Act to amend an Act entitled 'An Act to regulate commerce', 624, p. 271; Vol. 42, p. approved February 4, 1887, and all Acts amendatory thereof", by U.S.C., p. 1667. approved February 4, 1887, and all Acts amendatory thereof", by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913 (U.S.C., title 49, sec. 19a), including one director of valuation at \$10,000 per

Proviso. Limitation

Vol. 36, p. 350.

Personal services in

Issue of stock, etc.

Proviso.
Rent restriction in the District.

annum, one supervisor of land appraisals, one supervising engineer, one supervisor of accounts, and one principal valuation examiner, at \$9,000 each per annum, and traveling expenses, \$1,000,000: Provided, That this appropriation shall not be available for rent of buildings in the District of Columbia if suitable space is provided by the Public Buildings Commission.

Printing and binding.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in transportation rates and not to exceed \$10,000 to print and furnish to the States at cost report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, \$125,000: Provided, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate Commerce Act.

Proviso.
Schedule of sailings excluded.
Vol. 41, p. 497.

Not to exceed \$2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission.

Attendance at meet-

Total, Interstate Commerce Commission, \$5,190,000.

Rushmore Memorial Mount National Commission.

MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Expenses, etc. Vol. 45, pp. 1300, 1627; Vol. 46, p. 239. Post, p. 364.

Balances reappropri-

Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Act creating the Mount Rushmore National Memorial Commission, approved February 25, 1929 (45 Stat., p. 1300), \$10,000, together with the unexpended balances of the appropriations for this purpose for the fiscal years 1932 and 1933. to be expended under the provisions of the Act of February 25. 1929 (45 Stat., p. 1300).

nautics.
All expenses, scientific research, etc.

 $\begin{array}{c} \textbf{National} \\ \textbf{Committee} \end{array} \begin{array}{c} \textbf{Advisory} \\ \textbf{for} \end{array} \\ \textbf{NATIONAL} \ \textbf{ADVISORY} \ \textbf{COMMITTEE} \ \textbf{FOR} \ \textbf{AERONAUTICS} \end{array}$

Attendance at meetings

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees; including not to exceed \$500 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field and the District of Columbia; in all, \$676,000, of which amount not to prove \$40,000 may be expended for allowances for living quarters. exceed \$2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed \$720 may be so used Personal services in for any one person and not to exceed \$94,000 for personal services the District. in the District of Columbia.

Langley laboratory.

Personal services.

Living quarters. Vol. 46, p. 818.

Printing and binding,

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere,

Total, National Advisory Committee for Aeronautics, \$695,000.

PUBLIC BUILDINGS AND PUBLIC PARKS OF THE NATIONAL CAPITAL

For personal services in the District of Columbia and elsewhere. and the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force engaged in patrolling the Mount Vernon Memorial Highway in the State of morial Highway police, Virginia, and other Federal lands, as authorized by the Act approved have 29, 1930 (46 Stat. 483), \$2,200,000, including not to exceed 46, p. 483. \$25,000 for intermittent and seasonal employees at per diem rates of

compensation to be fixed by the director. For general expenses in connection with the maintenance, care, Maintenance, etc., of improvement, protection, operation, repair, cleaning, heating, and grounds, etc. lighting of the Washington Monument and grounds; the Lincoln Memorial and the reflecting pool; the house where Abraham Lincoln died; the Arlington Memorial Bridge; the Mount Vernon Memorial Highway and other Federal lands authorized by the Act of May 29. 1930 (46 Stat. 482); grounds surrounding executive departments; and public buildings in the District of Columbia under the jurisdiction of the Office of Public Buildings and Public Parks of the National Capital, including per diem employees at rates of pay approved by the Director, not exceeding current rates for similar employment in the District of Columbia; rent of buildings in the District of Columbia, and salaries for maintenance and operation of the buildings when such maintenance and operation is not furnished by the owner under terms of the lease, and the uniforms and equipment for the police force engaged in patrolling the Mount Vernon Mount Vernon Memorial Highway in the State of Virginia, including the purchase, rial Highway patrol issue, operation, maintenance, repair, exchange and storage of revolvers, bicycles, motor-propelled passenger-carrying vehicles, and revolvers, bicycles, motor-propelled passenger-carrying venicies, and ammunition: Provided, That any funds for the fiscal year 1934 Funds for rent, etc., for departments may be transferred to District for departments and independent for the first passenger carrying venicies, and provided. of Columbia for any of the executive departments and independent rector. establishments may be transferred, with the approval of the Public Buildings Commission, to the Director of Public Buildings and Public Parks of the National Capital; city directories; contingent expenses; traveling expenses and car fare not exceeding \$300; communication service; professional, scientific, technical, and law books; periodicals and reference books; blank books and forms; photographs; maps; leather and rubber articles and gas masks for the protection of public property and employees; not exceeding \$13,000 for uniforms for employees; the maintenance, repair, exchange, ployees. The for emstorage, and operation of not to exceed one motor-propelled passenger-carrying vehicle; the demolition of buildings; incidental grading of the Mall to utilize available fill; the purchase, maintenance, and repair of equipment and fixtures; \$1,120,000.

For all printing and binding for the Office of Public Buildings

and Public Parks of the National Capital, \$2,500.

Total, Office of Public Buildings and Public Parks of the National Capital, \$3,322,500.

PUBLIC BUILDINGS COMMISSION

For all necessary expenses incident to moving various Govern- Expenses of the ferring offices, etc. ment departments, bureaus, divisions, and independent establishments and parts thereof from one building to another or moves within a building in the District of Columbia in connection with the assignment, allocation, transfer, and survey of space, including the removal and erection of building partitions, including personal

Public Buildings and Public Parks of the National Capital.

Personal services.

Vol. 46, p. 482.

Rent, etc.

Contingent expenses.

Mall, grading, etc.

Printing and binding.

Public Commission. Buildings

services, without reference to civil-service rules, at rates of pay fixed and determined by the commission and without reference to the Classification Act of 1923 as amended: Provided, That the Proviso.
Reimbursing of the Classification Act of 1923 as amended: Provided, That the fices for expenses in money herein appropriated may be used for reimbursing the Govcurred. ernment departments, bureaus, divisions, independent establishments, and offices for actual expenses incurred by them in complying with the orders of the commission; to be expended on vouchers signed by the chairman of the commission; to be available immediately, and to remain available until expended, \$80,000.

Smithsonian Institution

SMITHSONIAN INSTITUTION

Administrative penses.

For expenses of the general administrative office, Smithsonian Institution, compensation of necessary employees, traveling expenses. purchase of books and periodicals, supplies and equipment, and any other necessary expenses, \$32,500.

International exchanges.

International exchanges: For the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including necessary employees, and purchase of necessary books and periodicals, and traveling expenses, \$38,500.

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, \$50,000.

Astrophysical Observatory: For maintenance of the Astrophysical

Astrophysical Observatory.

Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, \$26,500.

National Museum.

NATIONAL MUSEUM

Equipment, etc.

For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections; heating, lighting, electrical, telegraphic, and telephonic service, repairs and alterations of buildings, shops, and sheds, including approaches and all necessary material; personal services, and traveling and other necessary incidental expenses, \$128,500.

Preserving collections, etc.

For continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding \$3,000 for purchase of books, pamphlets, and periodicals, \$509,000.

Contingent expenses.

National Gallery of Art.

NATIONAL GALLERY OF ART

Administrative ex-Denses.

For the administration of the National Gallery of Art by the nithsonian Institution, including compensation of necessary Smithsonian employees, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, and necessary incidental expenses, \$29,500.

PRINTING AND BINDING

For all printing and binding for the Smithsonian Institution, binding, and including all of its bureaus, offices, institutions, and services located

in Washington, District of Columbia, and elsewhere, \$5,500. Total, Smithsonian Institution, \$820,000, of which amount not to Services in the Dis-

exceed \$750,000 may be expended for personal services in the District of Columbia.

SUPREME COURT BUILDING COMMISSION

Supreme Court Building: For completing the construction of the session building for the United States Supreme Court in accordance with Vol. 46, p. 51. the provisions of the Act entitled "An Act to provide for the construction of a building for the Supreme Court of the United States", approved December 20, 1929 (46 Stat., pp. 50-51), pended. \$3,490,000, to remain available until expended.

Supreme Court Building Commission.

Construction expen-

Available until ex-

TARIFF COMMISSION

For salaries and expenses of the United States Tariff Commission, ses including purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (U.S.C., Supp. VI, title 19, secs. 1330-1341); \$785,000, of which amount not to exceed \$692,000 may be expended for personal services in the District of Columbia; not to exceed \$2,500 for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the commission; and not to exceed \$7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), but not to exceed \$720 may be so used for any one person: Provided, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50: Provided further, That no part of this appropriation shall be used to pay the salary of any member of the United States Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

For all printing and binding for the Tariff Commission, \$15,000. Total, Tariff Commission, \$800,000.

Tariff Commission.

Salaries and expen-

Post. p. 1027.

Reporting. Vol. 46, p. 696. U.S.O., Supp. VI, p.

Living quarters. Vol. 46, p. 818. U.S.C., Supp. VI,

Provisos.
Supplies and services.
R.S., sec. 3709, p. 733.
U.S.C., p. 1309.

Salary restriction.

Vol. 46, p. 701.

Printing and binding. Post, p. 1027.

United States Geo-graphic Board.

Salaries and expen-

Printing and binding.

UNITED STATES GEOGRAPHIC BOARD

For salaries and expenses of the United States Geographic Board, see including personal services in the District of Columbia, and for stationery and office supplies, \$7,700.

For printing and binding, \$1,300.

Total, United States Geographic Board, \$9,000.

Shipping Board

UNITED STATES SHIPPING BOARD

Commissioners, personnel, and other expenses.

Outside rent.

Investigating dis-

Printing and binding,

Shipping Board fund.

Merchant Fleet Corporation expenses payable from.

Sources of. Vol. 41, p. 988. U.S.C., p. Supp. VI, p. 816.

For three commissioners and for all other expenditures authorized by law, including the compensation of a secretary to the board, attorneys, officers, naval architects, special experts, examiners, and clerks, including one admiralty counsel at not to exceed \$10,000 per annum, one technical expert in connection with construction loan fund, at not to exceed \$10,000 per annum, and other employees in the District of Columbia and elsewhere; and for all other expenses of the Board, including the rental of quarters outside the District of Columbia, law books, books of reference, periodicals, and not exceeding \$600 for newspapers, and traveling expenses of members of the Board, its special experts, and other employees, while upon official business away from their designated posts of duty, including attendance at meetings or conventions of members of any society or association, the purpose of which the Board may consider of interest to the development and maintenance of an American merchant marine, when incurred on the written authority of the chairman of the Board, and for the employment by contract of expert stenographic Investigating discrimination against Board, and for the employment by contract of experimental and for the employment by contract of experiments and for the employment by contract of experiments and shippers of the United of foreign discrimination against vessels and shippers of the United States and for the investigation of transportation of immigrants in vessels of the United States Shipping Board, \$300,000, of which amount not to exceed \$263,000 may be expended for personal serv-Provises. Estimates of assignments from Fleet Cormates of the Shipping Board for the fiscal year 1935 shall be accom-No salary reduction, panied by a statement showing the number and compensation of employees of the Fleet Corporation assigned to the Single Corporation U.S.C., Supp. VI, p. Provided further, That employees of the Merchant Fleet Corporation with the Shipping Board whose compensaassigned to and serving with the Shipping Board whose compensation is within the range of salary prescribed for the appropriate grade to which the position has been allocated under the Classification Act of 1923, as amended, shall not be subject to reduction in salary by reason of their transfer during the fiscal year 1934 to the pay roll of the Shipping Board.

For all printing and binding for the United States Shipping Board, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$10,000.

UNITED STATES SHIPPING BOARD SHIPPING FUND

For expenses of the United States Shipping Board Merchant Fleet Corporation during the fiscal year ending June 30, 1934, for administrative purposes, including the salaries of employees of the Fleet Corporation assigned to the Shipping Board, miscellaneous adjustments, losses due to the maintenance and operation of ships, including operation through an agreement to pay a lump-sum compensation, for the protection of the interests of the United States in any vessel on which the United States holds a mortgage, for the repair of ships, for the purchase, exchange, maintenance, repair, and operation of motor vehicles for official purposes only; for the payment of premiums for liability, fire, theft, property damage, and collision insurance and for other forms of insurance, including schedule and fidelity bonds, commonly carried by commercial corporations engaged in the same or a similar business, and for carrying out the provisions of the 1537; Merchant Marine Act, 1920, and amendments thereto, (a) the amount of operating funds on hand July 1, 1933, not to exceed \$50,000,000; (b) all amounts received during the fiscal year ending June 30, 1934, other than the proceeds of sales of ships and surplus property; (c) so much of the total proceeds of sales of ships and surplus

property received during the fiscal year 1934, but not exceeding \$1,000,000, as is necessary to meet the expenses of liquidation, includes ses. ing the costs incident to the delivery of vessels to purchasers, the cost of maintaining the laid-up fleet and the salaries and expenses of the personnel engaged in liquidation: Provided, That no part of Claims these sums, (a), (b), and (c) shall be used for the payment of claims therefrom. arising out of the construction and requisitioning of vessels; (d) all interest earned on the funds, excepting the construction loan fund, of the United States Shipping Board Merchant Fleet Corporation is to accrue to these funds and is made available for the purposes hereinbefore set forth subject to the limitations herein established: Provided further, That the unexpended balances of the sums made carrying coal to foreign available by the Independent Offices Appropriation Act, 1930, for ports.

reconditioning and operating ships for carrying coal to foreign Vol. 45, p. 1244. ports continued available for the same purposes for the fiscal year 1933, are hereby made available for the general purposes hereinbefore set forth for the Merchant Fleet Corporation for the fiscal year 1934: Provided further, That, if and when the President of year 1934: Provided further, That, if and when the President of Transfer of tunds to the United States shall so direct, not to exceed \$4,000,000 of the Post Office Department for foreign mail funds hereinbefore made available may be transferred to the Post contracts. Office Department and, when so transferred, shall be available only for meeting the cost in the fiscal year 1934 of foreign mail contracts entered into by that Department under the provisions of the Merchant Marine Act, 1928, approved May 22, 1928, for service upon steamship lines sold by the United States Shipping Board subsequently to December 1, 1932.

That portion of the special claims appropriation contained in the Independent Offices Appropriation Act for the fiscal year 1923 tinued available. Committed prior to July 1, 1923, and remaining unexpended on June Vol. 42, p. 647. committed prior to July 1, 1923, and remaining unexpended on June 30, 1933, shall continue available until June 30, 1934, for the same

purposes and under the same conditions.

To enable the United States Shipping Board Merchant Fleet Operation of ships To enable the United States Shipping Board Merchant Fleet taken back from pur-Corporation to operate ships or lines of ships which have been or chasers.

Balance reapproprimay be taken back from purchasers by reason of competition or ated.

Balance reappropriate there vol. 44, p. 318. other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the Independent Offices Appropriation Act for the fiscal year 1927: Provided, That no expenditure shall be made for the purposes of this paragraph required. from this sum without the prior approval of the President of the United States.

Not more than two passenger-carrying motor vehicles may be Motor vehicle remaintained and/or operated in the District of Columbia from the appropriations in this Act for the United States Shipping Board and the United States Shipping Board Fleet Corporation. Such vehicles shall be for the use of the officers and employees of the Shipping Board and the Fleet Corporation, under the direction of the chairman of the Shipping Board and the president of the Merchant Fleet Corporation.

No part of the sums appropriated in this Act shall be used to pay to able to appropriate the United States Shipping Board or the United States Shipping Board or the United States Shipping Board Merthe compensation of any attorney, regular or special, for the United States Shipping Board or the United States Shipping Board Merchant Fleet Corporation unless the contract of employment has been

approved by the Attorney General of the United States.

No part of the funds of the United States Shipping Board Mer-

chant Fleet Corporation shall be available for the rent of buildings in the District of Columbia during the fiscal year 1934 if suitable space is provided for said corporation by the Public Buildings Commission.

Liquidation expen-

Provisos. Claims not payable

Interest earned.

Vol. 45, p. 689.

Proriso. President's approval

Rent in the District

Foreign fuel oil.

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available during the fiscal year 1934 for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions, where oil of the production of the United States or its possessions is available, if the cost of such oil compared with foreign oil costs be not unreasonable.

Regular attorneys.

Of the sums herein made available under the United States Shipping Board, not to exceed an aggregate of \$150,000 shall be expended for compensation of regular attorneys employed on a yearly salary basis, including their clerical and legal assistants.

Loans to mail-earry-ing corporations. Forbidden, without approval of Comptrol-ker.

None of the money herein appropriated or authorized shall be used to make loans to any corporation with which the Postmaster General has made a contract for the carrying of mail under the provisions of the Merchant Marine Act of 1928, which contract has not been approved by the Comptroller General.

Total, United States Shipping Board, \$310,000.

Veterans' Adminis-

VETERANS' ADMINISTRATION

MILITARY SERVICES

Administration, medical, hospital, and domiciliary services.
Salaries and ex-

Vol. 46, p. 1016. U.S.C., Supp. VI, p. 707.

Provisos.
Payments to State institutions.

Regional offices.

Transfer of effects.

Wearing apparel.

Motor vehicles.

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U.S.C., Supp. VI, title 38, secs. 11-11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, \$85,773,000: Provided, That when found to be to the best interest of the United States, not to exceed \$500,000 of this amount may be used for payments to State institutions caring for and maintaining veterans, suffering from neuropsychiatric ailments, who are in such institutions on the date of the enactment of this Act: Provided, That not to exceed \$8,000,000 of this amount shall be available for all expenses and maintenance of all regional offices of the Veterans' Administration: Provided, That not to exceed \$3,500 of this amount shall be available for expenses, except mem-Attendance at meetings. Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war objects designated. Services, rentals, etc., in District and elsewhere. Services and rentals in the District of Columbia and elsewhere in the district of Columbia and else and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the administrator: furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two

passenger automobiles for general administrative use of the bureau in the District of Columbia and three for the Washington, District of Columbia regional office; and notwithstanding any provisions of employees children of law to the contrary, the Administrator is authorized to utilize to schools. Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend during the fiscal services year 1934 not to exceed \$2,000 for actuarial services by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for operating expenses of the Arlington Building and annex, and the Wilkins Building, including repairs and mechanical equipment, fuel, electric current, ice, ash removal, and miscellaneous items; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the fiscal year 1934 or prior fiscal years: Provided purchasing tobacco. further, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That the appropriations Experiments in deherein made for medical and hospital services under the jurisferent treatments. diction of the Veterans' Administration shall be available, not to exceed \$5,000, for experimental purposes to determine the value of certain types of treatment: Provided further, That the appropriations herein made for domiciliary care shall be available for homes. continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (U.S.C., title 24, sec. 134), as amended, including all classes of veterans admissible to the Veterans' Administration homes: Provided further, That the Administrator of Veterans' Affairs may, with the concurrence of the personnel and/or funds as may be deemed necessary in connection power of the personnel and/or funds against the United States under section 19 supp. VI, p. 719. of the World War Veterans' Act, 1924, as amended: Provided Affairs is hereby authorized under such limitations as may be prescribed by the President, and within the limits of existing Veterans' Administration facilities, to furnish to men discharged from the Army, Navy, Marine Corps, or Coast Guard for disabilities incurred in line of duty and to veterans of any war, including the Boxer rebellion and the Philippine insurrection, domiciliary care where

Contract actuarial

Farms, maintenance, c. Recreation facilities. Vol. 46, p. 991. Funeral expenses.

State and Territorial Continuing aid to. Vol. 25, p. 450. U.S.C., 677.

they are suffering with permanent disabilities, tuberculosis, or neuro-psychiatric ailments and medical and hospital treatment for diseases

or injuries."

Use for new hospital sites, hospitals, etc., forbidden.

Amount for improvements, etc.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than \$4,000,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Printing and binding.

p. 1270. U.S.C., p. 1421.

Pensions

fund.

Military and naval

Compromise judgments, yearly renewable term insurance.
Attorney General authorized to agree to.

Credits to be allowed in accounts for disbursements under.

of claim.

Hospital, domicili-ary, etc., facilities. Vol. 46, p. 1550.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, Proviso.
Use of branch equip. District of Columbia, and elsewhere, \$150,000: Provided, That the ment.

Administrator of Votopana, Africa, 5150,000: Provided, That the Administrator of Veterans' Affairs is authorized to utilize the printing and binding equipment which the various hospitals and homes of the Veterans' Administration use for occupational therapy Printing restrictions purposes for the purpose of doing such printing and binding as waived. Pur poses for the pur poses vol. 28, p.622; Vol. 40, may, in his judgment, be found advisable for the use of the Veterans' Administration, notwithstanding the provisions of section 87 of the Act entitled "An Act providing for the public printing and binding and the distribution of public documents", approved January 12, 1895, and section 11 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved March 1, 1919 (U.S.C., title 44, sec. 111).

Pensions: For the payment of pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, \$319,230,000, to be immediately available: Provided, That Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for

that purpose.

For military and naval insurance accruing during the fiscal year

1934 or in prior fiscal years, \$123,000,000.

That the Attorney General of the United States is hereby authorized to agree to a judgment to be rendered by the presiding judge of the United States court having jurisdiction of the case, pursuant to compromise approved by the Attorney General upon the recommendation of the United States Attorney charged with the defense, upon such terms and for such sums within the amount claimed to be payable, in any suit pending on March 20, 1933, and on the date of the enactment of this Act, brought under the provisions of the World War Veterans' Act, 1924, as amended, on a contract of yearly renewable term insurance, and the Administrator of Veterans' Affairs is hereby authorized and directed to make payments in accordance with any such judgment: Provided, That the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing officers of the Veterans' Administration for all payments of insurance made in stitute final settlement accordance with any such judgment: Provided further, That all such judgment shall constitute final settlement of the claim and no

appeal therefrom shall be authorized.

Hospital and domiciliary facilities: For carrying out the provisions of the Act entitled "An Act to authorize an appropriation to provide additional hospital, domiciliary, and out-patient dispensary

facilities for persons entitled to hospitalization under the World War Veterans' Act, 1924, as amended, and for other purposes," approved March 4, 1931 (46 Stat., p. 1550), \$1,000,000, to remain

available until expended.

Adjusted service certificate fund: For an amount necessary under the World War Adjusted Compensation Act (U.S.C., title 38, secs. Vol. 43, p. 128. 591-683; U.S.C., Supp. VI, title 38, secs. 612-682), to provide for vI. p. 728. the payment of the face value of each adjusted service certificate in Vol. 43, p. 128; vol. Vol. 43, p. twenty years from its date or on the prior death of the veteran, and to make loans to veterans and repayments to banks in accordance U.S.C., p. 1233; with section 507 of the Act, as amended (U.S.C., Supp. VI, title 38, Supp. VI, pp. 730, 731, secs. 642, 647, 650; Act July 21, 1932, 47 Stat., pp. 724–725), \$50,000,000, to become available July 1, 1933, and remain available until expended until expended.

Such amount as may be necessary of the fund entitled "Recreation fund, Army," created by the War Department Appropriation Act, approved March 4, 1933, is hereby appropriated and made available for reimbursement to the Veterans' Administration for all expenses (including transportation to bona fide residence) incurred in connection with indigent veterans in attendance at the convention of the rank and file organization of World War Veterans held in Washington, District of Columbia, during the month of May, 1933, and the decision of the Administrator of Veterans' Affairs in connection

with such expenditures shall be final and conclusive.

Adjusted service and dependent pay: For payment of adjusted dependent pays service credits of not more than \$50 each and the quarterly install-Vol. 43, pp. 125, 129, ments due to dependents of deceased veterans, as provided in the Vol. 45, pp. 927, 948; Act of May 19, 1924, as amended (U.S.C., title 38, secs. 631–632, Vol. 46, p. 496. U.S.C., pp. 1231, 1233; 663, 666; U.S.C., Supp. VI, title 38, secs. 661–662, 664–665, 667), Supp. VI, p. 732. \$2,835,000, to be immediately available and to remain available

until expended.

Payments to beneficiaries of the Veterans' Administration who are now receiving reduced monthly benefits in order to effect recovery to beneficiaries to recover amounts due the United States shall continue in such reduced continue to June 30, amounts until June 30, 1933: Provided, That such payments are otherwise authorized: Provided further, That no disbursing officer shall be held liable for any payment made under the provisions of liable for payments of this section or for the uncollected balance of any over payment hereunder. involved.

Total, Military Services, \$581,988,000.

CIVIL-SERVICE RETIREMENT FUND

the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, VI, p. 46. U.S.C., p. 71, Supp. 1920, and Acts amendatory thereof (U.S.C., Supp. VI, title 5, sec. 707a), \$20,850,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund."

Total, Veterans' Administration, \$602,838,000: Provided, That no part of this appropriation shall be expended for the purchase of striction. oleomargarine or butter substitutes except for cooking purposes.

INTERNATIONAL INSTITUTE OF AGRICULTURE

The sum of \$48,500, or so much thereof as may be necessary, is Expenses of participated for the exp hereby appropriated for the expenses of participation by the United States in the International Institute of Agriculture at Rome, Italy,

Recreation fund, Funds from, for aid to indigent veterans, convention held in Washington. Vol. 47, p. 1573.

Civil-Service Retire-ment Fund.

Proviso. Oleomargarine

International Insti-tute of Agriculture.

to be expended under the direction of the Secretary of State in the following manner:

Support of Institute.

(1) Not to exceed the equivalent in United States currency of one hundred and ninety-two thousand gold francs for the payment of the quota of the United States for the support of the institute, including the shares of the Territory of Hawaii, and of the dependencies of the Philippine Islands, Puerto Rico, and the Virgin Islands.

Salary, United States member of permanent committee.

(2) Not to exceed \$5,000 for the salary of a United States member of the permanent committee of the International Institute of Agriculture.

Living quarters. Vol. 46, p. 818. Compensation to employees, travel expen-es, etc.

(3) Not to exceed \$5,500 for rent of living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818); compensation of subordinate employees without regard to the Classification Act of 1923, as amended; actual and necessary traveling expenses; and other contingent expenses incident to the maintenance of an office at Rome, Italy, for a United States member of the permanent committee of the International Institute of Agriculture.

Bureau of Fisheries.

BUREAU OF FISHERIES

Black bass law, enforcement.

Vol. 44, p. 576; Vol. merce to carry into effect the Act entitled "An Act to amend the 46, p. 845.

U.S.C., supp. vi, Act entitled "An Act to regulate interstate transportation of black" bass, and for other purposes', approved May 20, 1926" (U.S.C., Supp. V, title 16, secs. 851–856), approved July 2, 1930 (46 Stat., pp. 845–847), \$13,110, of which not to exceed \$1,530 may be expended for personal services in the District of Columbia.

Total appropriated by this Act, \$631,802,546.

Salaries limited smaries inmited to average rates under Classification Act. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003.

1003.
U.S.C., p. 65; Supp.
VI, p. 31.
Proviso.
Restriction not applicable to clerical-mechanical service.

salaries. Vol. 42, p. 1490. U.S.C., p. 66.

Sec. 2. In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: *Provided further*, That this restriction shall not apply (1) to grades No reduction in fixed 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Transfers to another position without reduction. Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated. Sec. 3. No part of the appropriations contained in this Act or

Salary increases through reallocation of position forbidden.

prior appropriation Acts shall be used to pay any increase in the salary of any officer or employee of the United States Government by reason of the reallocation of the position of such officer or employee to a higher grade after June 30, 1932, by the Personnel Classification Board or the Civil Service Commission, and salaries paid accordingly shall be payment in full.

Impoundment of appropriations.

Ante, p. 14.

SEC. 4. Title II of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, to the extent that it provides for the impoundment of appropriations shall not operate to require such impoundment under appropriations contained in this Act.

SEC. 5. Whenever it shall appear to the President, in respect of Modification of contracts for transportaany contract entered into by the United States prior to the date of tion. enactment of this Act for the transportation of persons and/or things, that the full performance of such contract is not required in the public interest, and that modification or cancellation of such contract will result in substantial savings to the United States, the President is hereby, upon giving sixty days' notice and opportunity for public hearing to the parties to such contract, authorized, in his discretion, on or before April 30, 1935, to modify or cancel Whenever the President shall modify or cancel any such contract. such contract, he shall determine just compensation therefor; and if the amount thereof, so determined by the President, is unsatisfactory to the individual, firm, or corporation entitled to receive the same, such individual, firm, or corporation shall be entitled to receive such portion thereof as the President shall determine and shall be entitled to sue the United States to recover such further Suits against United sum as, added to said portion so received, will make up such amount accord not reached as will be just compensation therefor, in the manner provided for by paragraph 20 of section 41 and section 250 of title 28 of the United States Code: *Provided*, That where any such contract makes United States Code: Provided, That where any such contract makes provision for settlement in the event of modification or cancellation, contract contains settlement amount of just compensation as determined hereunder shall ment clause in event of modification. not exceed such amount as is authorized by said contract. Any Appropriations authorized. appropriation out of which payments upon the said contract were authorized to be made is hereby made available for the payment of such just compensation.

Sec. 6. Hereafter the Postmaster General shall not award any air mail contract or any ocean mail contract under the Merchant Marine Act of 1928 to any individuals, companies, or corporations, which ited, when salary exceeding \$17,600 paid. singly or in combination with other individuals, companies, or corporations pay any salary or salary combined with bonus, to any officer, agent, or employee in excess of \$17,500. If such individuals, comagent, or employee in excess of \$17,500. If such individuals, companies, or corporations employ any officer, agent, or employee on a basis. part-time basis, such salary, or salary combined with bonus, shall be

reduced in proportion to such part-time employment.

SEC. 7. Whenever the President after investigation shall find Services rendered that the charge or charges established by or in accordance with equive Department, existing law for any service rendered or article sold by any executive etc department, commission, or other executive agency of the United States is less than the cost of such service or thing determined by the President in accordance with sound principles of accounting, he is hereby authorized, in his discretion, by Executive order to increase such charge or charges in such amount as he may determine creasing charges for.
will return to the Covernment the will return to the Government the cost of such service. The thority authority granted to the President to order increases in charges hereunder shall cease upon the expiration of two years after the date of the enactment of this Act.

SEC. 8. (a) Whenever at any time hereafter prior to July 1, 1935, Retirement provision, employees having any employee of the United States or the District of Columbia thirty years service. to whom the Civil Service Retirement Act, approved May 29, 1930 U.S.C., Supp. VI. p. to whom the Civil Service Retirement Act, approved May 29, 1930 (U.S.C., Supp. VI, title 5, chap. 14), applies, who has an aggregate 40 period of service of at least thirty years computed as prescribed in section 5 of such Act, is involuntarily separated from the Annuity payment service for reasons other than his misconduct, such employee separated for other shall be entitled to an annuity computed as provided in section than misconduct. 4 of such Act payable from the civil service retirement and disability fund less a sum equal to 3½ per centum of such annuity:

Cancellation.

Notice of intention. Hearing

Compensation.

U.S.C., pp. 867, 897.

Air mail contracts.

Awarding prohib-

Canal Zone employees. Vol. 46, p. 1471.

Annuity payment when involuntarily separated, etc.

Deduction.

Proviso. When deduction to

Furlough provision effective during fiscal year 1934. Post, p. 523.

Proviso Limitation on fur-lough period.

Rural Mail Delivery Service. Carriers excepted. Executive Order No. 6176, June 16, 1933.

Vol. 47, p. 407, repealed.

Provise. Deduction from annuity, when to cease. Provided, That when an annuitant hereunder attains the age which would have been the retirement age prescribed for automatic separawould have been the retirement age prescribed for automatic separation from the service applicable to such annuitant had he continued in the service to such retirement age, such deduction from the Reemployment of annuity shall cease. If and when any such annuitant shall be reem-States (including any corporation the majority of the stock of which is owned by the United States), the right to the annuity provided by this section shall cease and the subsequent annuity rights of such person shall be determined in accordance with the applicable with the applicable. ployed in the service of the District of Columbia or the United sions of retirement law existing at the time of the subsequent separation of such person from the service.

(b) Whenever at any time hereafter prior to July 1, 1935, any person to whom the Canal Zone Retirement Act, approved March 2, 1931 (Public, Numbered 781, Seventy-first Congress), applies, who has an aggregate period of service of at least thirty years computed as prescribed in section 7 of such Act, is involuntarily separated from the service for reasons other than his misconduct, such employee shall be entitled to an annuity computed as provided in section 6 of such Act payable from the Canal Zone retirement and disability fund less a sum equal to 5 per centum of such annuity: Provided, That when an annuitant hereunder attains the age at which he would have been entitled to retirement with annuity computed as provided in section 6 of such Act, such deduction from the Reemployment of annuity shall cease. If and when any such annuitant shall be reemanuitant. ployed in the service of the District of Columbia or the United States (including any corporation the majority of the stock of which is owned by the United States), the right to the annuity provided by Determination of this section shall cease and the subsequent annuity rights of such person shall be determined in accordance with the applicable provisions of retirement law existing at the time of the subsequent separation of such person from the service.

Sec. 9. (a) Until July 1, 1934, in cases in which the number of officers and employees in any particular service is in excess of the number necessary for the requirements of such service, the heads of the several executive departments and independent establishments of the United States Government and the municipal government of the District of Columbia, respectively, are hereby authorized to furlough, without pay, any officers and employees carried on their respective rolls for such periods as in their judgment may be necessary to distribute, as far as practicable, employment on the available work in such service among all the officers and employees of such service, in rotation: *Provided*, That no employee under the classified civil service shall be furloughed under the provisions of this section for a total of more than ninety days during the fiscal year 1934, except after full and complete compliance with all the provi-Uniform application sions of the civil service laws and regulations relating to reductions of provisions. in personnel. Rules and regulations shall be promulgated by the President with a view to securing uniform action by the heads of the various executive departments and independent Government establishments in the application of the provisions of this section. The provisions of this section relating to furloughs shall not apply to carriers in the Rural Mail Delivery Service, but the President is authorized to suspend, or to reduce, for the duration of the fiscal year 1934, the allowance paid to such carriers for equipment maintenance

(b) Section 216 of the Legislative Appropriation Act for the fiscal year 1933, and such section as continued and amended for the fiscal year 1934, are hereby repealed.

DEC. 10. The President is authorized, in his discretion, to sus-Reduction of extra pend the extra pay or reduce the rate of extra pay allowed to com-authorized. missioned officers, warrant officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard while on flying duty, and to distinguish between degrees of hazard in various types of flying duty and make different rates of extra pay applicable thereto.

SEC. 11. So much of the Act of August 5, 1882 (22 Stat. 285), as graduates, contained in the proviso at the end of section 1057, title 34, United Vol. 22, p. 295. U.S.C., p. 1148. is contained in the proviso at the end of section 1057, title 34, United States Code, is hereby amended by repealing the words "and one year's sea pay", so that the said proviso will read as follows: "Provided, That if there be a surplus of graduates, those who do not receive such appointments shall be given a certificate of graduation and an honorable discharge."

Sec. 12. From the date of the approval of this Act and until July Compensation reduction, employees, etc., of 1, 1934, the compensation of all officers and employees of the insular the insular possessions. possessions of the United States, including the Philippine Islands, which is now fixed by Acts of Congress and which is not subject to reduction under the provisions of title II of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, is hereby reduced 15 per centum: Provided, That nothing herein shall be construed as applying to officers whose whose compensation may not, under the Constitution, be diminished may not be reduced under Constitution. during their continuance in office.

SEC. 13. For the period of the fiscal year ending June 30, 1933, pay. replaced the conserment of this Act, and during Post, p. 521. remaining after the date of the enactment of this Act, and during the fiscal year ending June 30, 1934, the retired pay of judges (whose compensation, prior to retirement or resignation, could not, under the Constitution, have been diminished) is reduced by 15 per centum.

SEC. 14. The compensation authorized by sections 3, 4, and 10 of the Act of September 7, 1916, as amended, accruing during the fiscal year 1934, shall be reduced below the amounts prescribed by the U.S.C., p. 77. said Act by the same percentage as that prescribed for the reduction of compensation of officers and employees under section 3 of title II of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933: Provided United States Government", approved March 20, 1933: Provided Provided further, That the monthly pay as defined in section 40 of the Act monthly pay. of September 7, 1916, shall be determined without regard to the Vol. 39, p. 750. U.S.C., p. 81. temporary reductions in pay required by the Act of March 20, 1933: Provided further, That the funds made available for the purposes of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other pur-, approved March 31, 1933, shall be available for the payment of compensation for injuries as required by section 3 of said Employees Compensator. Act, but such payment shall be made through the Employees' Com- tion Commission. pensation Commission.

SEC. 15. For the fiscal year ending June 30, 1934, every pension Pensions payable under private relief act. payable under any private relief Act, not subject to the provisions of sections 1 and 17 of title I of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, shall, irrespective of the provisions of section 18 of title I of such Act, be reduced by the same percentage as that prescribed for the reduction of compensation of officers and employees under sec-

tion 3 of title II of said Act.

Sec. 16. (a) There shall be in the Department of Justice an Assistant Solicitor Assistant Solicitor General to assist the Solicitor General in the of Justice.

Appointment performance of his duties, who shall be appointed by the President, by and with the advice and consent of the Senate. Said Assistant Solicitor General shall be allocated to the same classification grade sation. Allocation; compensation. and be paid the same rate of compensation as apply to Assistant

Ante, p. 123.

Ante, p. 12.

Proviso. Exception,

Judges, retirement

Reduction during fis-cal year 1934.

Ante, p. 13.

Provisos.

Funds available. Ante, p. 23.

Ante, pp. 8, 11.

Reduction of.

Appointment.

Position abolished.

Classification Act of 1923. Vol. 42, p. 1489; Vol. 45, p. 785; Vol. 46, p. 1003. U.S.C., p. 65; Supp. service pay.

Rate of pay when re-classification of position to lower grade.

Sums available.

No profit to be allowed.

Aggregate amount.

Purpose to reduce, etc., outstanding indebtedness. purposes.

tions. Vol. 47, p. 6.

Security required.

Agreement respect-g bond issues. ing bong issue. Repayment.

Attorneys General and shall perform such additional duties as may be required of him by the Attorney General. (b) One of the existing positions of Assistant Attorney General is hereby abolished.

SEC. 17. That section 3 of the Act of Congress approved May 28, 1928, entitled "An Act to amend the salary rates contained in the compensation schedules of the Act of March 4, 1923, entitled 'An U.S.C., p. 65; Supp. Act to provide for the classification of civilian positions within the Adjustment of field District of Columbia and in the field services', as amended by the Act of July 3, 1930, be further amended by adding thereto the following: "Provided, That in all cases where, since December 6, 1924, in such adjustment the position occupied by an employee has been or shall be allocated to a grade with a maximum salary below the salary received by the incumbent, the rate of pay fixed for such position prior to such allocation may be paid after the date of the enactment of this Act so long as the position is held by the incumbent occupying it at the time of such allocation and the Comptroller General of the United States is authorized and directed to allow credit in disbursing officers' accounts for all payments heretofore made at such higher rates."

SEC. 18. The Secretary of the Treasury is hereby authorized to Post office, Long Beach, Calif.

Modification of construction of construction contract austruction contract auBeach (California) Post Office, so as to afford such relief as he norized.

Relief for earthquake deems to be proper for losses caused the contractor for restoration of damages to the building occasioned by the earthquake of March 10, 1933, and to make such structural and other changes in the building as may be necessary to minimize a recurrence of earthquake damage to the building: *Provided*, That the present appropriation for the Long Beach project shall be available for the purposes named, and that any additional cost incurred by reason of the above shall not exceed the present limit of cost: Provided further, That the contractor shall not be allowed any profit in connection with the restoration of such earthquake damages.
SEC. 19. Section 36 of the "Emergency Farm Mortgage Act of

Emergency Farm Mortgage Act of 1933.

Antle, p. 49, amended.
Loans to drainage districts, etc., construction Finance Corporation is authorized and empowered to make loans as hereinafter provided, in an aggregate amount not exceeding \$50,000,000 to or for the benefit of drainage gate amount not exceeding \$50,000,000 to or for the benefit of drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts duly organized under the laws of any State, and to or for the benefit of political subdivisions of States, which prior to the date of enactment of this Act have completed projects devoted chiefly to the improvement of lands for agricultural Such loans shall be made for the purpose of enabling any such district or political subdivision (hereafter referred to as the "borrower") to reduce and refinance its outstanding indebtedness Terms and condi- incurred in connection with any such projects, and shall be subject to the same terms and conditions as loans made under section 5 of the Reconstruction Finance Corporation Act, as amended; except that (1) the term of any such loan shall not exceed forty years; (2) each such loan shall be secured by bonds, notes, or other obligations which are a lien on the real property within the project or on the assessments, taxes, or other charges imposed by the borrower pursuant to State law, or by such other collateral as may be acceptable to the Corporation; (3) the borrower shall agree not to issue during the term of the loan any other bonds so secured except with the consent of the Corporation; (4) the borrower shall agree, insofar as it lawfully may, to pay to the Corporation, until all bonds or other obligations of the borrower acquired by the Corporation are retired, an amount equal to the amount by which the assessments, taxes, and other charges collected by the borrower exceed the cost of operation

and maintenance of the project and maturities of interest and principal on its outstanding obligations, and (5) the borrower shall agree, Reduction of annual to the satisfaction of the Corporation, to reduce, insofar as it law-charges. fully may, the annual taxes, assessments, and other charges imposed by it for or on account of the project by an amount proportional to the reduction in the corresponding annual requirements for principal and interest of its outstanding indebtedness by reason of the operation of this section. No loan shall be made under this section Conditions of loan.
until the Reconstruction Finance Corporation (A) has caused an er's property. appraisal to be made of the property securing and/or underlying the outstanding bonds of the applicant, (B) has determined that the project of the applicant is economically sound, and (C) has been satisfied that an agreement has been entered into between the applicant and holders of its outstanding bonds or other obligations under standing bonds.

Determination of economic soundness.

Corporation to approve refunding agreement between borrow-er and holders of outstanding bonds or other obligations under standing bonds. which the applicant will be able to purchase or refund all or a major portion of such bonds or other obligations at a price determined by the Corporation to be reasonable after taking into consideration the average market price of such bonds over the six months' period ending March 1, 1933, and under which a substantial reduction will be brought about in the amount of the outstanding indebtedness of the

applicant.

Sec. 20. The President is hereby authorized under the provisions Board to review vetof Public Law Numbered 2, Seventy-third Congress, to establish presumptive service
such number of special boards (the majority of the members of granted and denied. Sec. 20. The President is hereby authorized under the provisions which were not in the employ of the Veterans' Administration at the date of enactment of this Act), as he may deem necessary to review all claims (where the veteran entered service prior to November 11, 1918, and whose disability is not the result of his own misconduct), in which presumptive service connection has heretofore been granted under the World War Veterans' Act, 1924, as amended, wherein payments were being made on March 20, 1933, and which are held not service connected under the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress. Members of such members. boards may be appointed without regard to the Civil Service laws and regulations, and their compensation fixed without regard to the Classification Act of 1923, as amended. Such special boards shall Service connection. determine, on all available evidence, the question whether service connection shall be granted under the provisions of the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress (notwithstanding the evidence may not clearly demonstrate the existence of the disease or any specific clinical findings within the terms of or period prescribed by regulation 1, part 1, subparagraph (c), or instruction numbered 2, regulation numbered 1, issued under Public Law Numbered 2, Seventy-third Congress), and shall in their Ressonable doubts; decisions resolve all reasonable doubts in favor of the veteran, the burden of proof in such cases being on the Government.

Notwithstanding the provisions of section 17, title I, Public claims by Veterans' Ad-Numbered 2, Seventy-third Congress, any claim for yearly renew-ministration when filed able term insurance on which premiums were paid to the date of Ante, p. 11; post, p. death of the insured and any claim for pension, compensation size allowance, or emergency officers' retirement pay under the provisions of laws repealed by said section 17 wherein claim was duly filed prior to March 20, 1933, may be adjudicated by the Vetagasa' filed prior to March 20, 1933, may be adjudicated by the Veterans' Administration on the proofs and evidence received by the Veterans' Administration prior to March 20, 1933, and any person found entitled to the benefits claimed shall be paid such benefits in accordance with and in the amounts provided by such prior laws: Provided, Provise. Payments hereby authorized to be made shall continue ized; actions and aponly to include June 30, 1933, and only one original adjudicatory peals.

Ante. p. 8.

Vol. 43, p. 607.

Ante, p. 8.

Burial expenses, vet-erans dying prior to March 20, 1933. Ante, p. 11.

Filing claim.

Finality of Board

Percentage of payments made on March 20, 1933, to continue.

Rules governing reviews and hearings. Payment of salaries

Lunitation on reduction of payments for directly service-connected disabilities. Ante, p. 8; post, p. 524.

Death compensation.

Minimum pension, 50 per centum disabled veteran of Spanish-American War, etc.

Short title.

action and one appeal may be had in such cases. Where a veteran died prior to March 20, 1933, under conditions which warrant the payment of, or reimbursement for, burial expenses, such payment or reimbursement may be made in accordance with the laws in effect prior to March 20, 1933, provided that claim for such payment or reimbursement must be filed within three months from the date of passage of this Act.

Notwithstanding the provisions of Public Law Numbered 2. Seventy-third Congress, the decisions of such special boards shall be final in such cases, subject to such appellate procedure as the President may prescribe, and, except for fraud, mistake, or misrepresentation, 75 per centum of the payments being made on March 20, 1933, therein shall continue to October 31, 1933, or the date of Proviso.
Extension of time for Board decision.

Extension of time for where any case is pending before any one of the special boards on where any case is pending before any one of the special boards on October 31, 1933, the President may provide for extending the time of payment until decision can be rendered. The President shall prescribe such rules governing reviews and hearings, as may be deemed advisable. Payment of salaries and expenses of such boards and personnel assigned thereto shall be paid out of and in accordance with appropriations for the Veterans' Administration.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the rates of compensation payable for directly service-connected disabilities to those veterans who entered the active military or naval service prior to November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were except by fraud, mistake, or misrepresentation, in receipt of compensation on March 20, 1933, be reduced more than 25 per centum, except in accordance with the regulations issued under Public Law Numbered 2, Seventy-third Congress, pertaining to Federal employees, hospitalized cases and cases of beneficiaries residing outside of the continental limits of the United States; and in no event shall death compensation, except by fraud, mistake, or misrepresentation, being paid to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act of 1924, as amended, on March 20, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service.

Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, any veteran of the Spanish-American War, including the Boxer rebellion and the Philippine insurrection, who served ninety days or more, was honorably discharged from the service, is fifty-five years of age or over, is 50 per centum disabled, and in need as defined by the President, shall be paid a pension of not less than \$15 per month.

SEC. 21. This Act hereafter may be referred to as the "Independent Offices Appropriation Act, 1934."

Approved, June 16, 1933, 1:25 p.m.

[CHAPTER 102.]

AN ACT

June 16, 1933. [8, 813.] [Public, No. 79.]

To remove the limitation on the filling of the vacancy in the office of senior circuit judge for the ninth judicial circuit.

Be it enacted by the Senate and House of Representatives of the Ninth Judicial Cir. United States of America in Congress assembled, That the Presicuit.
Filling vacancy of dent is authorized, by and with the advice and consent of the Senate, independ in, author to appoint a circuit judge to fill the vacancy in the United States Circuit Court of Appeals for the Ninth Judicial Circuit occasioned

by the death of Honorable William B. Gilbert. A vacany 1 occurring be filled. Vacancy hereafter to at any time in the office of circuit judge referred to in this section is Vol. 45, p. 1411 at any time in the office of circuit judge referred to in this section is authorized to be filled.

Approved, June 16, 1933 4 p.m.

[CHAPTER 103.]

AN ACT

To provide for the survival of certain actions in favor of the United States.

June 16, 1933. [S. 815.] [Public, No. 80.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no civil action Courts. to recover damages, brought by the United States or in its behalf, Survival of civil actions for damages. or in which the United States shall be directly or indirectly interested, and pending against any defendant prior to the time of his death, in any court of the United States, shall abate by reason of the death of any such defendant; but any such action shall survive and viving defendant not be enforceable against the estate of any such deceased defendant. This Act shall not be construed to deprive the plaintiff in any such action of any remedy which he may have against a surviving

Approved, June 16, 1933, 4:15 p.m.

[CHAPTER 104.]

AN ACT

To amend Public Act Numbered 435 of the Seventy-second Congress, relating to sales of timber on Indian land.

June 16, 1933. [8, 1513.] [Public, No. 81.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Act Indian Numbered 435 of the Seventy-second Congress entitled "An Act to Terms of existing authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on Indian land when it indians. Vol. 47, p. 1568. is in the interest of the Indians so to do "is hereby amended by adding to the first section thereof the following proviso: "Provided, Klamath Indian Reservation, Oreg., exprices shall not apply to the Klamath Indian Reservation in Ore-herein." That the authority granted herein shall Time limitation. gon: And provided further, That the authority granted herein shall terminate one year from the date of enactment of this Act."

Time limitation.

Approved, June 16, 1933, 5 p.m.

[CHAPTER 105.]

AN ACT

To legalize the manufacture, sale, or possession of 3.2 per centum beer in the State of Oklahoma when and if the same is legalized by a majority vote of the people of Oklahoma or by act of the Legislature of the State of Oklahoma.

June 16, 1933. [H.R. 5690.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the manufacture, sale, and/or possession of 3.2 per centure beer is legalized legalized in the State of Oklahoma when and if the same is legalized by a majority of the legal votes cast of or legalized. majority of the legal votes cast at an election held in said State, or by an act of the Legislature of the State of Oklahoma, and all Acts or parts of Acts in conflict therewith are hereby repealed.

Oklahoma

Approved, June 16, 1933.

¹ So in original.

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PUBLIC LAWS OF THE SEVENTY-THIRD CONGRESS

OF THE

UNITED STATES OF AMERICA

Passed at the second session, which was begun and held at the city of Washington, in the District of Columbia, on Wednesday, the third day of January, 1934, and was adjourned without day on Monday, the eighteenth day of June, 1934.

Franklin D. Roosevelt, President; John N. Garner, Vice President; Key Pittman. President of the Senate pro tempore; Henry T. Rainey, Speaker of the House of Representatives.

[CHAPTER 1.]

AN ACT

To raise revenue by taxing certain intoxicating liquors, and for other purposes.

January 11, 1934. [H.R. 6131.] [Public, No. 83.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Liquor Taxing Act of

TITLE I

Section 1. This Act may be cited as the "Liquor Taxing Act of 1934 ".

Citation of Act. Post, p. 538.

SEC. 2. Paragraphs (3) and (4) of subdivision (a) of section 600 to f the Revenue Act of 1918, as amended (relating to the tax on distilled spirits generally and the tax on distilled spirits diverted for beverage purposes) [U.S.C., Sup. VI, title 26, sec. 1150 (a) (1) and (2)], are amended to read as follows:

(3) On and after January 1, 1928, and until the effective date of Title I of the Liquor Taxing Act of 1934, \$1.10 on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon; and

(4) On and after the effective date of Title I of the Liquor Taxing Act of 1934, \$2.00 on each proof gallon or wine gallon when

ing Act of 1934, \$2.00 on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon."

Sec. 3. Subdivision (c) of section 600 of the Revenue Act of 1918

(relating to the internal-revenue tax on imported perfumes containing distilled spirit) [U.S.C., Sup. VI, title 26, sec. 1150 (a) Vol. 40, p. 1106; (4)], is amended by striking out "\$1.10 per wine gallon" and insertable. (526.

SEC. 4. In lieu of the rate of drawback provided in section 3329 Drawback on exported distilled spirits. R.S., sec. 3329, p. 647; 1239], the rate of drawback allowed upon the exportation of distilled spirits exported on or after the effective date of this title shall be equal to the rate of the internal-revenue tax paid in respect of the distilled spirits exported but shall not exceed a rate of \$2.00 per proof gallon.

SEC. 5. Section 3309 of the Revised Statutes, as amended (relating Assessment for deficience to the tax on deficiencies in distilled spirits production) [U.S.C., duction.

Sup. VI, title 26, sec. 1197], is amended by striking out "at the rate U.S.C., Supp. VII, p. of \$1.10" wherever such phrase appears and inserting in lieu 619. thereof "at the rate of tax imposed by law".

Classed as distilled pirits, if over 24%

Sparkling wines, etc. Vol. 40, p. 1110; Vol. 41, p. 521; U.S.C., Supp. VII, p. 633.

spirits,

Post. p. 315.

Still wines.
450, 40, p. 1110; Vol.
450, p. 868; U.S.C.,
Supp. VII, p. 633.

SEC. 6. So much of section 611 of the Revenue Act of 1918, as mended (relating to the tax on still wines) [U.S.C., Sup. VI, title 26, sec. 1300 (a) (1)] as reads:

26, sec. 1300 (a) (1)], as reads:
"On wines containing not more than 14 per centum of absolute alcohol, 4 cents per wine gallon, the per centum of alcohol taxable under this section to be reckened by volume and not by weight;

"On wines containing more than 14 per centum and not exceeding

21 per centum of absolute alcohol, 10 cents per wine gallon; "On wines containing more than 21 per centum and not exceeding

24 per centum of absolute alcohol, 25 cents per wine gallon;
"All such wines containing more than 24 per centum of absolute alcohol by volume shall be classed as distilled spirits and shall pay tax accordingly."

is amended to read as follows:

"On wines containing not more than 14 per centum of absolute alcohol, 10 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

"On wines containing more than 14 per centum and not exceeding

21 per centum of absolute alcohol, 20 cents per wine gallon;

"On wines containing more than 21 per centum and not exceeding

24 per centum of absolute alcohol, 40 cents per wine gallon; "All such wines containing more than 24 per centum of absolute alcohol by volume shall be classed as distilled spirits and shall be taxed accordingly."

SEC. 7. So much of section 613 of the Revenue Act of 1918 [U.S.C.,

Sup. VI, title 26, sec. 1300 (a) (2)] as reads: On each bottle or other container of champagne or sparkling wine, 12 cents on each one-half pint or fraction thereof;

"On each bottle or other container of artificially carbonated wine,

6 cents on each one-half pint or fraction thereof;

"On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine fortified with grape brandy, 6 cents on each one-half pint or fraction thereof."

is amended to read as follows:

"On each bottle or other container of champagne or sparkling wine, 5 cents on each one-half pint or fraction thereof;

"On each bottle or other container of artificially carbonated wine,

2½ cents on each one-half pint or fraction thereof;
"On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine fortified with grape brandy, 2½ cents on each one-half pint or fraction thereof;

"Any of the foregoing articles containing more than 24 per centum of absolute alcohol by volume shall be classed as distilled spirits and

shall be taxed accordingly."

Grape brandy, etc., SEC. 8. Section 612 of the Revenue Act of 1918, as amended (relation: vol. 40, p. 1110; ing to the tax on grape brandy and wine spirits withdrawn and used U.S.C., Supp. VII, p. in the fortification of wines) [U.S.C., Sup. VI, title 26, sec. 1301]. in the fortification of wines) [U.S.C., Sup. VI, title 26, sec. 1301], is amended by striking out "10 cents per proof gallon" and inserting in lieu thereof "20 cents per proof gallon".

SEC. 9. (a) Section 608 of the Revenue Act of 1918, as amended (relating to the tax on malt liquors) [U.S.C., Sup. VI, title 26, sec. 1330 (a)], is amended by striking out "a tax of \$6.00" and inserting

in lieu thereof "a tax of \$5.00".

(b) Subsection (a) of section 1 of the Act entitled "An Act to provide revenue by the taxation of certain nonintoxicating liquor,

Malt liquors, etc. Vol. 40, p. 1109; U.S.C., Supp. VII, p.

Tax on nonintoxicating liquor.

and for other purposes", approved March 22, 1933, is hereby repealed.

pealed.

(c) Paragraph "First" of section 3244 of the Revised Statutes, amended, is amended to read as follows:

(E) Proposes shall pay \$100 in respect of each brewery: Pro
Brewers' tax

as amended, is amended to read as follows:

"First. Brewers shall pay \$100 in respect of each brewery: Provided, That any brewer of less than 500 barrels a year shall pay the sum of \$50. Every person who manufactures fermented liquors of any name or description for sale, from malt, wholly or in part, or from any substitute therefor, shall be deemed a brewer.

SEC. 10. (a) Upon all distilled spirits produced in or imported into the United States upon which the internal-revenue tax imposed by law has been paid, and which, on the day this title takes effect, are held by any person and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be levied, assessed, collected, and paid a floor tax equal to the amount if any, by which the tax provided for under this title exceeds the tax so paid, not including in the computation of the tax so paid the 30 cent tax imposed by section 605 of the Revenue Act of 1918.

(b) Upon all articles specified in section 6 or 7 of this title produced in or imported into the United States upon which the internalrevenue tax imposed by law has been paid, and which, on the day this title takes effect, are held by any person and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be levied, assessed, collected, and paid a floor tax equal to the amount, if any, by which the tax provided for under such sections of this title exceeds the tax so paid, not including in the computation of the tax so paid the 30 cent tax imposed by section 605 of the Revenue Act of 1918.

(c) Upon all wines held by the producer thereof upon the day this Grape brandy for fortitle takes effect and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be levied. assessed, collected, and paid a floor tax equal to the amount, if any, by which the tax provided for under section 8 of this title exceeds the tax paid upon the grape brandy or wine spirits used in the fortifi-

cation of such wine.

(d) The person required by this section to pay any floor tax shall, Assessment and colwithin thirty days after the effective date of this title, make return under oath in such form and under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe. Payment of the tax shown to be due may be extended to a date not exceeding seven months after the effective date of this title, upon the filing of a bond for payment in such form and amount and with such sureties as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. All provisions of law (including penalties) applicable in respect of internal-revenue taxes on distilled spirits or wines shall, in so far as applicable and not inconsistent with this section, be

applicable in respect of the taxes imposed by this section.

(e) As used in this section and in Title II, the term "person" includes an individual, a partnership, an association, and a corporation; and the term "distilled spirits" includes products produced in such manner that the person producing them is a rectification. such manner that the person producing them is a rectifier within the meaning of section 3244 of the Revised Statutes, as amended.

Sec. 11. As used in this Act, the term "internal-revenue taxes" Taxes under Agriculdoes not include taxes imposed under the Agricultural Adjustment act, not included herein. Act.

Ante, p. 16

Ante, p. 16

Proviso. "Brewer," defined

Floor taxes. Distilled spirits.

Wines, etc. Ante, p. 311.

Advertisements, etc., by mail; provisions repealed.
Vol. 39, p. 1069; U.S.C., p. 488; Supp. VII, p. 350.
Ante, p. 17.
Shipments, etc., of, contrary to State, etc., laws; punishment for.

SEC. 12. That section 5 of the Act entitled "An Act making appropriations for the Post Office Department for the year ending June 30, 1918", approved March 3, 1917, as amended, is amended to read as follows:

"SEC. 5. Whoever shall order, purchase, or cause intoxicating liquors to be transported in interstate commerce, except for scientific, sacramental, medicinal, and mechanical purposes, into any State, Territory, or the District of Columbia, the laws of which prohibit the manufacture or sale therein of intoxicating liquors for beverage purposes, shall be fined not more than \$1,000 or imprisoned not more than six months, or both; and for any subsequent offense shall be imprisoned not more than one year."

Nothing in this Act shall be construed to amend or repeal any provision of section 1110 of the Revenue Act of 1917.

Effective date of title.

SEC. 13. This title shall take effect on the day following its enactment.

Internal revenue.

Ethyl alcohol for Government, etc., use Vol. 40, p. 329.

TITLE II

Affixing tax - paid stamps to containers.

Exceptions.

Sec. 201. No person shall (except as provided in section 202) transport, possess, buy, sell, or transfer any distilled spirits, unless the immediate container thereof has affixed thereto a stamp denoting the quantity of distilled spirits contained therein and evidencing payment of all internal-revenue taxes imposed on such spirits. The provisions of this title shall not apply to-

(a) Distilled spirits placed in a container for immediate consumption on the premises or for preparation for such consumption;

(b) Distilled spirits in bond or in customs custody;(c) Distilled spirits in immediate containers required to be stamped under existing law;

(d) Distilled spirits in actual process of rectification, blending, or bottling, or in actual use in processes of manufacture;

(e) Distilled spirits on which no internal-revenue tax is required to be paid;

(f) Distilled spirits not intended for sale or for use in the manufacture or production of any article intended for sale; or

(g) Any regularly established common carrier receiving, transporting, delivering, or holding for transportation or delivery distilled

spirits in the ordinary course of its business as a common carrier,

SEC. 202. Every person who, on the effective date of this title. holds for sale (or use in the manufacture or production of an article intended for sale) any distilled spirits in containers required to be stamped by section 201, on which all internal-revenue taxes have been paid, may possess such spirits, but shall, not later than the tenth day after such date, apply for, and shall be sold (in accordance with section 203) the requisite stamps. Such stamps shall be promptly affixed to the immediate containers of such spirits, except that when such spirits contained in bottles in closed cases are held for sale or sold otherwise than at retail, such stamps need not be affixed until the cases are opened or sold at retail, when such stamps shall be immediately affixed to the bottles, but such stamps shall be sold or transferred in connection with any sale or transfer of such spirits and the person in possession of such spirits shall be in possession of such stamps therefor.

SEC. 203. Any person placing or intending to place any distilled spirits upon which all internal-revenue taxes have been paid into any container upon which a stamp is required by this title, or withdrawing or intending to withdraw any imported spirits in such containers from customs custody, shall be entitled to purchase sufficient stamps for stamping such containers. Such stamps shall be

Stamps on present stock.

Purchase and issue of stamps.

issued by the Commissioner of Internal Revenue to each Collector of Internal Revenue, upon his requisition, in such numbers as may be necessary in his district, and shall be sold by the Collectors to persons entitled thereto upon application therefor and compliance with regulations under this title, at a price of 1 cent for each stamp, except that in the case of stamps for containers of less than one half pint the price shall be one quarter of 1 cent for each stamp. When in his judgment there is no danger to the revenue, and upon the giving of such bonds or other security as he may deem necessary, the Commissioner may authorize (1) the sale prior to the effective date of this title of such stamps and (2) the sale of such stamps to importers for stamping containers in the country from which imported.

SEC. 204. Every person emptying any container stamped under the provisions of this title shall at the time of emptying such container

destroy the stamp thereon.

of the Treasury, shall prescribe (a) regulations with respect to the prescribed. time and manner of applying for, issuing, affixing, and destroying stamps required by this title, the form and denominations of such stamps, proof that applicants are entitled to such stamps, and the method of accounting for receipts from the sale of such stamps, and (b) such other regulations as he shall deem necessary for the enforcement of this title.

SEC. 206. All distilled spirits found in any container required to bear a stamp by this title, which container is not stamped in compliance with this title and regulations issued thereunder, shall be forfeited to the United States. Distilled spirits placed in such containers prior to the effective date of this title shall not be subject to this section until the expiration of 10 days after the effective date of this title, nor (when it is established that application for stamps therefor was made within the proper time) until such

stamps are received by the applicant.

Sec. 207. Any person who violates any provision of this title, Violations and penor who, with intent to defraud, falsely makes, forges, alters, or counterfeits any stamp made or used under this title, or who uses, stamps. sells, or has in his possession any such forged, altered, or counterfeited stamp, or any plate or die used or which may be used in the manufacture thereof, or any stamp required to be destroyed by this title, or who makes, uses, sells, or has in his possession any paper in imitation of the paper used in the manufacture of any such stamp, or who reuses any stamp required to be destroyed by this title, or who places any distilled spirits in any bottle which has been filled and stamped under this title without destroying the stamp previously affixed to such bottle, or who affixes any stamp issued under this title to any container of distilled spirits on which any tax due is unpaid, or who makes any false statement in any application for stamps under this title, or who has in his possession any such stamps obtained by him otherwise than as provided in sections 202 and 203, or who sells or transfers any such stamp otherwise than as provided in section 202, shall on conviction be punished by a fine not exceeding \$1,000, or by imprisonment at hard labor not exceeding five years, or by both. Any officer authorized to enforce any provisions of law relating to internal revenue stamps is authorized to enforce the provisions of this section and the provisions of section 7 of the Act of March 3, 1897, relating to the bottling of distilled spirits in bond.

Sec. 208. This title shall take effect on the thirtieth day following the date of the enactment of this Act, except that if on or before the twentieth day following the date of the enactment of this Act Defacing stamps

Forfeiture of spirits, unstamped container.

Existing stock.

Counterfeiting, etc.,

Reuse or misuse.

Ante, p. 316.

Enforcement.

Vol. 29, p. 628. U.S.C., p. 767.

Effective date of title.

the Secretary of the Treasury finds that it is impracticable to put this title into effect on the thirtieth day following the date of the enactment of this Act and so proclaims, specifying the date, not later than the sixtieth day following the date of the enactment of this Act, on which it will be practicable to put this title into effect, this title shall take effect on the date specified in such proclamation. Notwithstanding the previous provisions of this section, this section and sections 202, 203, and 205 shall take effect on the date of the enactment of this Act.

Effective date of desirnated sections.

Approved January 11, 1934, 11.50 p.m.

[CHAPTER 2.]

JOINT RESOLUTION

January 18, 1934. [H.J.Res. 228.] [Pub. Res., No. 12.]

To provide for certain expenses incident to the second session of the Seventythird Congress.

penses, second session, Seventy-third Con-gress.

Resolved by the Senate and House of Representatives of the Appropriations for United States of America in Congress assembled, That the followpenses, second session, ing sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of certain expenses incident to the second session of the Seventy-third Congress, namely:

Senate.

SENATE

Mileage.

For mileage of Senators, \$38,250.

House of Representa-

HOUSE OF REPRESENTATIVES

Mileage, etc.

For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska and the Resident Commissioners from

Stationery.

the Philippine Islands, \$131,250. For stationery for Representatives, Delegates, and Resident Com-

missioners, including \$4,400 for stationery for the use of the commissioners, including \$4,400 for stationery for the use of the committees and officers of the House, \$44,000, to be available for expenditure notwithstanding the provisions of section 304 of the Act of June 30, 1932 (47 Stat. 408), as continued and made applicable to the fiscal year 1934 by section 4 (a), Title II, of the Act of March 20, 1933 (48 Stat. 13): Provided, That from such sum each Representative, Delegate, and Resident Commissioner shall be allowed \$90 for stationery allowance or commutation therefor.

Approved, January 18, 1934.

[CHAPTER 3.]

AN ACT

January 20, 1934, [S. 2125.] [Public, No. 84.]

To continue the functions of the Reconstruction Finance Corporation, to provide additional funds for the Corporation, and for other purposes,

tinued. Vol. 47, p. 5.

postponed. Vol. 47, p. 10.

Be it enacted by the Senate and House of Representatives of the Reconstruction Fi United States of America in Congress assembled, That until Februnance Corporation.

Functions, etc., con- ary 1, 1935, or such earlier date as the President may fix by proclamation, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to per-Liquidation, etc., form under existing law, and the liquidation and winding up of its affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that the functions of the Corporation are continued pursuant to this Act.

Sec. 2. No funds shall be disbursed on any commitment or agree- no disbursement on make a loan or advance hereafter made by the Reconstruction etc., after one year. Finance Corporation after the expiration of one year from the date of such commitment or agreement; but within the period of such one-year limitation no provision of law terminating any of the affected. Prior agreements not functions of the Reconstruction Finance Corporation shall be construed to prohibit disbursement of funds on prior commitments or agreements to make loans or advances.

SEC. 3. The amount of notes, debentures, and bonds or other such corporation potes, obligations which the Reconstruction Finance Corporation is Ante, p. 50.

Wol. 47, pp. 9. authorized and empowered to have outstanding at any one time pursuant to section 9 of the Reconstruction Finance Corporation Act,

as amended, is hereby increased by \$850,000,000.

Approved, January 20, 1934.

[CHAPTER 4.]

AN ACT

To control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia.

January 24, 1934. [H.R. 6181.] [Public, No. 85.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Control Act. Prohibition Act, as amended and supplemented, insofar as it affects the manufacture, sale, and possession in the District of Columbia, and the transportation in, into, and from the District of Columbia, of alcoholic beverages, is hereby repealed, with the exception of title U.S.C., pp. 854, 861 III, and section 4 of title II insofar as it affects denatured alcohol.

Sec. 2. This Act may be cited as the "District of Columbia Alcoholic Beautiful Beautiful Alcoholic Beautiful Alcoholic Beautiful Beautiful Beautiful Beautiful Beautiful Beautiful Beautiful Beaut

holic Beverage Control Act." It shall apply only to the District of Columbia and shall not authorize the delivery of alcoholic beverages outside of the District of Columbia in violation of the law of the place of delivery.

SEC. 3. In the interpretation of this Act, unless the context indi-

cates a different meaning:

(a) The word "alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, from whatever source or by whatever

processes produced.

(b) The word "spirits" means any beverage which contains alcohol obtained by distillation mixed with drinkable water and other substances in solution, including brandy, rum, whisky, cordials,

(c) The word "wine" means the product of the normal alcoholic fermentation of the juice of fresh, sound, ripe grapes, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine and seasonal conditions, including champagne, sparkling, artificially carbonated and fortified wine. No other product obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar shall be called "wine" unless designated by appropriate prefix descriptions of the fruit or other product from which the same was predominently produced, or as artificial or imitation wine. Light wines shall mean wines containing 14 per centum or less of alcohol by volume, other than champagne.

(d) The word "beer" means any fermented beverages of any name or description manufactured from malt, wholly or in part, or from any substitute therefor.

Territory embraced.

Definitions.

" Alcohol "

"Spirits."

"Wine."

U.S.C., p. 768,

"Beer."

"Alcoholic beverage",

Containing more than one of foregoing ingredients.

Less than one half of 1 percent excluded.

Apple cider.

"Board."

"Club."

(e) The words "alcoholic beverage" or "beverage" include the four varieties of liquor above defined (alcohol, spirits, wine, and beer) and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed by a human being. Any liquid or solid containing more than one of the four varieties above defined is considered as belonging to that variety which has the higher percentage of alcohol, according to the order in which they are above defined, except as provided in subsection (c) hereof. The provisions of this section and of this Act shall not apply to any liquid or solid containing less than one half of 1 per centum of alcohol by volume, nor shall anything contained in this Act be construed as affecting the manufacture of apple cider or the sale thereof.

(f) The word "Board" shall mean the Alcoholic Beverage

Control Board created by this Act.

(g) The word "club" means a corporation for the promotion of some common object (not including corporations organized for any commercial or business purpose, the object of which is money profit), owning, hiring, or leasing a building or space in a building of such extent and character as in the judgment of the Board may be suitable and adequate for the reasonable and comfortable use and accommodations of its members and their guests, and including such space outside of the building and adjoining it as may be approved by the Board, and provided with such suitable and adequate kitchen and dining room space and equipment, implements, and facilities, and employing such a sufficient number of employees for cooking, preparing, and serving meals for its members and their guests, as shall satisfy the Board that the sale of beverages intended is not more than an incident to and is not the prime source of revenue from such space; and the affairs and management of such corporation are conducted by a board of directors, executive committee, or similar body chosen by the members at least once each calendar year and no officer, agent, or employee of the club is paid directly or indirectly, or receives in the form of salary or other compensation, any profit from the disposition or sale of beverages to the club or to the members of the club or guests introduced by members, beyond the amount of such salary as may be fixed and voted by the members, or by its directors, or other governing body.

(h) The word "Commissioners" shall mean the Commissioners

of the District of Columbia.

(i) The word "District of Columbia.

(j) The word "District "shall mean the District of Columbia.

(j) The word "hotel" means a suitable building or other structure, approved by the Board, including such suitable space outside of the building and adjoining it as may be approved by the Board, kept, used, maintained, advertised, or held out to the public to be a place where meals are served and sleeping accommodations offered for pay to transient guests; in which thirty or more rooms are used for the sleeping accommodations of such transient guests, and having one or more dining rooms where meals are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building or in connecting buildings, and such building or buildings, structure or structures being provided with such adequate kitchen and dining room equipment and capacity and having employed therein such number and kinds of employees for preparing, cooking, and serving meals for its guests as shall satisfy the Board that such dining room is intended for use primarily as a place for preparing, cooking, and serving meals and that the chief source of revenue to be derived from the operation of such dining

"Commissioners."

"District." "Hotel": to contain 30 or more rooms, etc.

room shall be from the preparation, cooking, and serving of meals and not from the sale of beverages. No such dining room shall be tions considered suitable if any business is conducted therein other than the preparation, cooking, and serving of meals, except such a business as is incidental to a bona fide dining room.

(k) The word "manufacture" shall include rectification.

(1) The word "meals" means the usual assortment of foods commonly ordered at various hours of the day; and such food and victuals as sandwiches and salads shall not be regarded as a "meal." (m) The word "person" includes an individual, partnership,

corporation, and association.

- (n) The word "restaurant" means a suitable space in a suitable building, approved by the Board, including such suitable space outside of the building and adjoining it as may be approved by the Board, kept, used, maintained, advertised, or held out to the public to be a place where meals are served, such space being provided with such adequate kitchen and dining room equipment and capacity, and having employed therein such number and kinds of employees for preparing, cooking, and serving meals for its guests as shall satisfy the Board that such space is intended for use primarily as a place for preparing, cooking, and serving meals, and that the chief source of revenue to be derived from the operation of such place shall be from the preparation, cooking, and serving of meals and not from the sale of beverages. No such space shall be considered suitable if any business is conducted therein other than the preparation, cooking, and serving of meals, except such a business as is incidental to a bona fide restaurant.
- (o) The word "sell" or "sale" shall include offering for sale, keeping for sale, trafficking in, bartering, delivering for value, exchanging for goods, or in any way other than purely gratuitously, and every delivery of any alcoholic beverage made otherwise than by purely gratuitous title shall constitute a sale.

 (p) The word "table" shall not include a counter, bar, or similar

contrivance.

(q) The word "tavern" means a suitable space in a suitable building approved by the Board, including such suitable space outside of the building and adjoining it, as may be approved by the Board, kept, used, maintained, advertised, or held out to the public to be a place where sandwiches or light lunches are prepared and served for consumption on the premises in such quantities as to satisfy the Board that the sale of beer intended is no more than an incident

to and is not the prime source of revenue of such "tavern."

SEC. 4. The Commissioners of the District of Columbia, within Alcoholic Beverage fifteen days after the approval of this Act, shall appoint a Board pointed. of three persons, subject to removal by the Commissioners, to be qualifications, called the "Alcoholic Beverage Control Board", each of the members ure of office, etc. of which shall be a citizen of the United States and a resident of the District of Columbia for at least three years immediately preceding his appointment and have during that period claimed residence nowhere else. Of the three persons first appointed as members of said Board, one shall be appointed for two years, one for three years and one for four years, and thereafter all appointments shall be for the term of four years, except such appointments as may be made for the remainder of unexpired terms. Vacancies caused by death, resignation or otherwise shall be filled by the Commissioners only for the unexpired terms. Members shall be eligible for reappointment. The Commissioners shall designate one of the members of the Board to be chairman thereof. The salary of each of the mem-bers of the Board shall be \$5,000 per annum. The Commissioners

Dining room restric-

"Manufacture"

"Meals."

"Person."

"Restaurant,"

Restrictions.

"Sell" or "sale."

"Table."

"Tavern."

Chairman. Salaries, etc.

86637°-34--21

Interest in alcoholic beverages restricted.

Revocation, etc., of

Appeals allowed.

suspended License pending appeal.

Additional powers,

Rules, etc., to be prescribed.

Licenses, etc.

Limitations; number. locality, etc.

Personnel; salaries are authorized to employ such other personal services, including three additional assistant corporation counsel, as may be necessary to carry out the provisions of this Act, and to provide for the expenses of the Board. The salaries of employees, other than members of the Board, shall be fixed in accordance with the provisions of the Classification Act of 1923, as amended. The Commissioners shall include in their annual estimates such amounts as may be required for the salaries and expenses herein authorized.

Sec. 5. No member or employee of the Board, directly or indirectly, individually, or as a member of a partnership or association, or stockholder in a corporation shall have any interest whatsoever in dealing in, manufacturing, transporting, or storing alcoholic beverages, nor receive any commission or profit whatsoever from any person authorized by virtue of this Act to manufacture or sell alcoholic beverages. No provision of this section, however, shall prevent any such member or such employee from purchasing, transporting, and keeping in his possession any alcoholic beverage for the personal use of himself or members of his family or guests.

Sec. 6. The right, power, and jurisdiction to issue, transfer, and revoke all licenses under this Act shall be vested solely in the Board, and the action of the Board on any question of fact shall be final and conclusive; except that, in case a license is revoked by the Board, the licensee may, within ten days after the order of revocation is entered, appeal in writing to the Commissioners to review said action of the Board, the hearings on said appeal to be submitted either orally or in writing at the discretion of the Commissioners, and the Commissioners shall not be required to take evidence, either oral, written, or documentary. The decision of the Commissioners on any question of fact involved in such appeal shall be final and conclusive. Pending such appeal the license shall stand suspended unless the Commissioners shall otherwise order.

Said Board shall have such other authority and perform such other duties as the Commissioners may, by regulation, prescribe.

Sec. 7. The Commissioners are hereby authorized to prescribe such rules and regulations not inconsistent with this Act as they may deem necessary to carry out the purposes thereof and to control and regulate the manufacture, sale, keeping for sale, offer for sale, solicitation of orders for sale, importation, exportation, and transportation of alcoholic beverages in the District of Columbia for the protection of the public health, comfort, safety, and morals.

The Commissioners shall have specific authority to make rules and regulations for the issuance, transfer, and revocation of licenses: to facilitate and insure the collection of taxes; to govern the operation of the business of licensees, with full power and authority to prescribe the terms and conditions under which alcoholic beverages may be sold by each class of licensees; to forbid the issuance of licenses for manufacture, sale, or storage of alcoholic beverages in such localities in, and such sections and portions of, the District of Columbia as they may deem proper in the public interest; to limit the number of licenses of each class to be issued in the District of Columbia and to limit the number of licenses of each class in any locality in, or sections or portions of, the District of Columbia as they may deem proper in the public interest; to forbid the issuance of licenses for businesses conducted on such premises as they, in the public interest, may deem inappropriate; to forbid the issuance of any class or classes of licenses for businesses established subsequent to the date of enactment of this Act near or around schools, colleges, universities, churches, or public institutions, to prescribe the hours during which

beverages may be sold and to forbid the sale on Sundays; but the Commissioners shall not authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on Sundays other than light wines and beer, and any such sale is hereby prohibited. The powers and authorities expressly enumerated are to be construed as in addition to, and not by way of limitation of, the general powers herein granted. Different regulations may be prescribed for the different classes of licenses, for the different classes of beverages, and for different localities in or sections or portions of the District of Columbia.

Any regulations promulgated hereunder shall become effective five ulations. Effective date of regdays after being published in any daily newspaper of general circulation in the District of Columbia. Such regulations may be altered or amended from time to time as the Commissioners may deem desirable. The Commissioners shall also have authority in Edition any time of public emergency, without previous notice or advertisement, to prohibit the sale of any or all beverages during the period of such emergency.

Sec. 8. No provision of this Act shall apply to alcohol intended beverage purposes. for use in the manufacture and sale of any of the following when they are unfit for beverage purposes, namely:

(a) Denatured alcohol produced and used pursuant to Acts of

Congress and regulations promulgated thereunder; (b) Patent, proprietary, medicinal, pharmaceutical, antiseptic and

toilet preparations;

(c) Flavoring extracts, syrups, and food products;

(d) Scientific, chemical, mechanical, and industrial products.

Any person who shall knowingly sell any of the products enu- Penalty for unlawful merated in paragraphs (a), (b), (c), or (d), for beverage purposes, or who shall sell any of the same under circumstances from which he might reasonably deduce the intention of the purchaser to use them for such purposes, shall be subject to the penalties provided for in section 33 of this Act.

Sec. 9. (a) No individual, partnership, association, or corporation shall, within the District of Columbia, manufacture for sale, tion shall, within the District of Columbia, manufacture for sale, without, forbid-keep for sale, or sell any alcoholic beverage without having first between obtained a license under this Act for such manufacture or sale, Post, p. 335. keep for sale, or sell any alcoholic beverage without having first obtained a license under this Act for such manufacture or sale, except as provided in sections 31 and 32 hereof.

(b) No individual shall, within the District of Columbia, offer solicitor to obtain, for sale or solicit any order for the sale of any alcoholic beverage, sale.

Post, p. 327.

Post, p. 327. irrespective of whether such sale is to be made within or without the District of Columbia, unless such individual has first obtained a license of the character described in section 11, subsection (k).

Nothing in this subsection shall apply to any offer for sale or solicitation made upon the premises designated in the license of

No individual shall within the District of Columbia offer any Trading with a non-licensee forbidden. beverage for sale to, or solicit orders for the sale of any beverage from, any person not a licensee under this Act, irrespective of whether such sale is to be made within or without the District of Columbia.

(c) A physician may administer alcoholic beverages to a bona fide patient in cases of actual need when, in the judgment of the physician, the use of alcoholic beverages is necessary.

(d) A dentist who deems it necessary that a bona fide patient being then under treatment by him is in actual need of and should be supplied with alcoholic beverages as a stimulant or restorative, may administer to the patient alcoholic beverages.

Sunday sales.

Additional powers

Emergency excep-

Post, p. 336.

"On premises" excepted.

Physician.

Dentist.

73d CONGRESS. SESS. II. CH. 4. JANUARY 24, 1934.

Veterinarian.

(e) A veterinarian who deems it necessary may, in the course of his practice, administer or cause to be administered alcoholic beverages to a dumb animal.

Hospital, etc.

(f) A person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, may administer or cause to be administered alcoholic beverages to any bona fide patient or inmate of the institution who is in need of the same, either by way of external application or otherwise for emergency medicinal purposes, and may charge for the alcoholic beverages so administered.

Licenses, to whom may be issued

SEC. 10. The Board is authorized to issue licenses to individuals, partnerships, or corporations, but not to unincorporated associations, on application duly made therefor, for the manufacture, sale, offer for sale or solicitation of orders for sale of alcoholic beverages within the District of Columbia. The Board shall keep a full record of all applications for licenses, and of all recommendations for and remonstrances against the granting of licenses and of the action taken thereon.

Records of applica-

Sec. 11. Licenses issued under authority of this Act shall be of

License classifications.

eleven kinds: (a) Manufacturer's license, class a.—To operate a rectifying plant, a distillery, or a winery. Such a license shall authorize the

Manufacturer's, class

holder thereof to operate a rectifying plant for the manufacture of the products of rectification by purifying or combining alcohol, spirits, wine, or beer; a distillery for the manufacture of alcohol or spirits by distillation or redistillation; or a winery for the manufacture of wine; at the place therein described, but such license shall not authorize more than one of said activities, namely, that of a rectifying plant, a distillery or a winery, and a separate license shall be required for each such plant. Such a license shall also authorize the sale from the licensed place of the products manufactured under such license by the licensee to another license holder for resale or to a dealer outside of the District of Columbia for

It shall not authorize the sale of beverages to any other

Separate license for Further provisions

Annual fee.

person except as may be provided by regulations promulgated by the Commissioners under this Act. The annual fee for such license for a rectifying plant shall be \$3.500; for a distillery shall be \$3,500; Proviso.
Nonbeverage distillary.

It 50% or more alcohol is sold for beverage purposes.

Nonbeverage distillary.

It 50% or more alcohol is sold for beverage purposes, the annual fee shall be \$1,000. If said manufacturer holding a license issued at the rate last mentioned shall sell desired and sold for nonbeverage purposes.

during any license period 50 per centum or more of said alcohol for beverage purposes, he shall pay to the Collector of Taxes the difference between the license fee paid and the license fee for a distiller of spirits.

(b) Manufacturer's license, class B.—To operate brewery. Such a license shall authorize the holder thereof to operate a brewery for the manufacture of beer at the place therein described. shall also authorize the sale from the licensed place of the beer manufactured under such license to another license holder for resale or to a dealer outside of the District of Columbia for resale, or to a Said manufacturer may sell beer to the consumer only in barrels, kegs, and sealed bottles and said barrels, kegs, and bottles shall not be opened after sale, nor the contents consumed, on the premises where sold. The annual fee for such license shall be \$2,500.

Manufacturer's, class B.

"On sale" by, forbidden.

Annual fee.

(c) Wholesalers' license, class a.—Such a license shall authorize the holder thereof to sell beverages from the place therein described to another license holder for resale or to a dealer outside of the District of Columbia for resale and, in addition, in the case of beer or light wines, to a consumer, said beverages to be sold only in barrels, kegs, sealed bottles, and other closed containers, which said barrels, kegs, sealed bottles, and other closed containers shall not be opened after sale, nor the contents consumed, on the premises where sold.

No holder of such a license except a wholesale druggist or a whole-premises. sale grocer shall be engaged in any business on the premises for which the license is issued other than the sale of alcoholic and nonalcoholic beverages.

The annual fee for such license shall be \$1,500.

(d) Wholesaler's license, class B.—Such a license shall authorize the holder thereof to sell beer and light wines from the place therein described to another license holder for resale or to a dealer outside of the District of Columbia for resale or to a consumer in barrels, kegs, sealed bottles, and other closed containers, which said barrels, kegs, sealed bottles, and other closed containers shall not be opened after sale nor the contents consumed on the premises where sold.

The annual fee for such license shall be \$750.

(e) Retailer's license, class a.—Such a license shall authorize Retailer's, Class A. the holder thereof to sell beverages from the place therein described holde beverages. and to deliver the same in the barrel, keg, sealed bottle, or other closed container in which the same was received by the licensee, which said barrel, keg, sealed bottle, or other closed container shall not be opened nor the contents consumed on the premises where sold. Such license shall not authorize the licensee to sell to other licensees

The annual fee for such license shall be \$750.

(f) Retailer's license, class B.—Such a license shall authorize Retailer's Class B. "Off sale" of beer and the holder thereof to sell beer and light wines from the place therein light wines described and to deliver the same in the barrel, keg, sealed bottle, or other closed container in which the same was received by the licensee, which said barrel, keg, sealed bottle, or other closed container shall not be opened nor the contents consumed on the premises where sold. Such license shall not authorize the licensee to sell to other licensees for resale.

The annual fee for such license shall be \$100.

(g) RETAILER'S LICENSE, CLASS C.—Such a license shall be issued Retailer's, Class C only for a bona fide restaurant, hotel, or club, or a passenger-carrying etc., serving meals. marine vessel serving meals, or a club car or a dining car on a sale of spirits, for railroad. It shall authorize the holder thereof to keep for sale and premises premises to sell spirits, wine and beer at the place therein described for consumption only in said place. Except in the case of clubs and hotels no beverage shall be sold or served to a customer in any closed container. In the case of restaurants and passenger-carrying marine vessels and club cars or dining cars on a railroad, said spirits and wine, except light wines, shall be sold or served only to persons seated at public tables and beer and light wines shall be sold and served only to persons seated at public tables or at bona fide lunch counters, except that spirits, wine, and beer may be sold or served to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. In the case of hotels, said beverages may be sold and served only in the private room of a registered guest or to persons seated at public tables or to assemblages of more than six individuals in a private room, when

Wholesalers', Class A.

Post, p. 654.

Annual fee Wholesaler's, Class B.

Annual fee.

Restriction.

Annual fee.

Restriction

Annual fee.

such room has been previously approved by the Board. Beer and light wines may also be sold and served to persons seated at bona fide lunch counters. And in the case of clubs, said beverages may be sold and served in the private room of a member or guest of a member, or to persons seated at tables. No license shall be issued to a club which has not been established for at least three months immediately prior to the making of the application for such license.

The fee for such a license shall be for a restaurant, \$500 per annum; for a hotel, under one hundred rooms, \$500 per annum; for a hotel of one hundred or more rooms, \$1,000 per annum; for a club, \$250 per annum; for a marine vessel serving meals, \$50 per month or \$500 per annum; and for each railroad dining car or club car, \$2 per month or \$20 per annum.

(h) Retailer's license, class d.—Such a license shall be issued

only for a bona fide restaurant, tavern, hotel, or club, or a passengercarrying marine vessel serving meals, light lunches, or sandwiches, "on premises" only or a club car or a dining car on a railroad. Such a license shall authorize the holder thereof to sell beer and light wines at the place therein described for consumption only in said place. Except in the case of clubs and hotels, no beer or light wines shall be sold Served at public or served to a customer in any closed container. In the case of restables or bona fide taurants, taverns, and passenger-carrying marine vessels and alub cars or dining cars on a railroad, said beer shall be sold or served only to persons seated at public tables or at bona fide lunch counters, except that beer and light wines may be sold or served to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. In the case of hotels, beer may be sold and served only in the private room of a registered guest or to persons seated at public tables or at bona fide lunch counters or to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. And in the case of clubs, beer and light wines may be sold and

> prior to the making of the application for such license. The annual fee for such a license shall be \$200; except that in the case of a marine vessel, the fee shall be \$20 per month or \$200 per annum, and in the case of each railroad dining car or club car, \$1 per

> served in the private room of a member or guest of a member, or to persons seated at tables. No license shall be issued to a club which has not been established for at least three months immediately

month or \$10 per annum.

(i) RETAILER'S LICENSE, CLASS E.—Such a license shall authorize a person entitled to retail, compound, and dispense medicines and poisons, to sell from the place therein described, beverages in sealed packages, not to exceed one quart each, for medical purposes, and only upon prescription of a duly licensed practicing physician for liquors as defined by the United States Pharmacopoeia. Such package shall not be opened after sale, nor its contents consumed, on the premises where sold. Such prescription, when filled, shall be canceled by writing across its face the word "Canceled" together with the date on which it is presented and filled, and such prescriptions shall be numbered consecutively as filled and kept on file in consecutive order. No such prescription shall be refilled. The annual fee for such license shall be \$25.

(j) RETAILER'S LICENSE, CLASS F.—Such license shall authorize the holder thereof temporarily to sell beer and light wines on the premises therein described for consumption on the premises where sold. Such permits may be issued for a banquet, picnic, bazaar, fair, or similar public or private gathering, where food is served for consumption on the premises. No beer or light wines shall be sold or

Annual fees.

Retailer's, Class D. Sales of beer and light wines by restaurants, etc., serving meals.

Closed containers.

Exceptions.

Club provisions.

Annual fees.

Retailer's, Class E.
Druggists, selling
beverages on physicians' prescription.

Annual fee.

Retailer's, Class F. Sales of beer, etc., at public gatherings.

served to a customer in any unopened container. The issuance of such a permit shall be solely in the discretion of the Board. fee for each such license shall be \$5 per day.

(k) Solicitor's licenses.—Such a license shall authorize the licensee to offer for sale to or solicit orders from licensees for the sale

of any beverage.

A solicitor's license shall set forth the name of the vendor whom Vendor represented the solicitor represents and such solicitor shall not represent any vendor whose name does not appear upon such license.

The annual fee for such license shall be \$100.

section 7 of the District of Columbia Appropriation Act for the fiscal provisions not resection 7 of the District of Columbia Appropriation Act for the fiscal provisions not repealed.

year ending June 30, 1903, approved July 1, 1902, as amended.

Sec. 12. (a) The holder of a manufacturer's or wholesaler's license wholesale dealer prosisted hereunder shall not be entitled to hold any other class of hibited from holding license. A person, not licensed hereunder, owning an establishment another class license.

Columbia manufacture of beverages located outside the District of Columbia manufacture. Columbia may hold one wholesale license, and shall not be entitled

to hold any other license.

(b) No licensee holding a retailer's license, class C or class D, Retail licensees C or shall, by direct ownership, stock ownership, or interlocking directors, hold, directly or indirectly, any license other than retailer's licenses class C, class D, or class E. No licensee holding a retailer's license class A or class B shall, by direct ownership, stock ownership, or interlocking directors, hold, directly or indirectly, more than one license except retailer's licenses class E. When used in this subsection the word "licensee" shall include any stockholder holding directly strued. or indirectly 25 per centum or more of the common stock or any officer of such licensee if such licensee is a corporation.

the rights thereunder are to be exercised, and beverages shall not be scribed in license. manufactured or kept for sale or sold by any licensee except at the place so described in his license: Provided, however, That the holder of a manufacturer's or wholesaler's license may store beverages, with the consent of the Board, upon premises other than the premises designated in the license. Every annual license shall date from the 1st day of February in each year and expire on the 31st day of January next after its issuance, except as hereinafter provided. Licenses issued at any time after the beginning of the license year shall date from the first day of the month in which the license was issued and end on the last day of the license year above described, and payments shall be made of the proportionate amount of the annual license fee. Every monthly license shall date from the first day of the month in which it is issued and expire on the last day of the month named in the license. Monthly licenses shall not be issued for periods exceeding six months.

SEC. 14. (a) Any individual, partnership, or corporation desiring a license under this Act shall file with the Board an application in such form as the Commissioners may prescribe, and such application shall contain such additional information as the Board may require, and (except in the case of an application for a manufacturer's license, retailer's license class E, or solicitor's license) shall Owner of business to be stated. contain a statement setting forth the name and address of the true and actual owner of the premises upon which the business to be licensed is to be conducted. Before a license is issued the Board Information to be

shall satisfy itself:

1. That the applicant, if an individual, or, if a partnership, each ter etc. Applicant's characof the members of the partnership, or if a corporation, each of its

Solicitor's licenses.

Annual fee.

"Licensee" con-

Proviso Storehouse provision.

License year

Fractions

Monthly licenses.

Qualifications of applicants.

principal officers and directors, is of good moral character and generally fit for the trust to be in him reposed.

Citizenship, age, etc.

Prior offenses.

2. That the applicant, if an individual, or, if a partnership, each of the members of the partnership, or, if a corporation, each of its principal officers, is a citizen of the United States, not less than twenty-one years of age, and has not, within five years prior to the filing of such application, been convicted of a misdemeanor under the National Prohibition Act, as amended and supplemented, or, within ten years prior to such filing, been convicted of any felony.

Ownership, etc.,

3. Except in the case of an application for a solicitor's license, that the applicant is the true and actual owner of the business for which the license is desired, and that he intends to carry on the business authorized by the license for himself and not as the agent of any individual, partnership, association or corporation, and that he intends to superintend in person the management of the business licensed, or intends to have some other person, to be approved by the Board, manage the business for him, which said manager must possess all of the qualifications required of a licensee hereunder.

Interest of manufac-turer in retail business,

4. That in the case of an applicant for a wholesaler's license or a retailer's license (except a retailer's license class E), no manufacturer or wholesaler of beverages other than the applicant (including a stockholder holding 25 per centum or more of the common stock, or an officer of any manufacturer or wholesaler of beverages, if such manufacturer or wholesaler is a corporation), has such a substantial interest, direct or indirect, in the business for which the license is requested, or in the premises in respect of which such license is to be issued, as in the judgment of the Board may tend to influence such licensee to purchase beverages from such manufacturer or wholesaler, and that such business will not be conducted with any money, equipment, furniture, fixtures, or property rented from or loaned or given by any such manufacturer or wholesaler (including such stockholder or officer) or sold by such manufacturer or wholesaler (including such stockholder or officer) to any such licensee for less than the fair market value or upon a conditional sale agreement or chattel

Character of prem-

5. That the place for which the license is to be issued is an appropriate one considering the character of the premises, its surroundings, and the wishes of the persons residing or owning property in the neighborhood of the premises for which the license is desired.

Advertising application for retailer's license required.

Hearing of protests.

(b) Before granting a retailer's license, except a retailer's license class E or class F, the Board shall give notice by advertisement published once a week and for at least two weeks in some newspaper of general circulation published in the District of Columbia. advertisement so published shall contain the name of the applicant and a description by street and number, or other plain designation, of the particular location for which the license is requested and the class of license desired. Such notice shall state that remonstrants are entitled to be heard before the granting of such licenses and Posting notice on shall name the time and place of such hearing. There shall also be posted by the Board a notice, in a conspicuous place, on the outside of the premises. This notice shall state that remonstrants are entitled to be heard before the granting of such license and shall name the same time and place for such hearing as set out in the Deferring action public advertisement; and, if remonstrance against the granting of remonstrant to be such license is filed, no final action shall be taken by the Board until the remonstrant shall have had an opportunity to be heard, under rules and regulations prescribed by said Board. Any person will-fully removing, obliterating, marring, or defacing said notice shall be deemed guilty of a violation of this Act.

(c) Except in the case of a retailer's license class C or class D, to ert be issued for a hotel or club, or a retailer's license class B or class E, erry filed. no place for which a license under this Act has not been issued and in effect on the date the written objections hereinafter provided for are filed, shall be deemed appropriate if the owners of a majority of the real property within a radius of six hundred feet of the boundary lines of the lot or parcel of ground upon which is situated the place for which the license is desired, shall, on a form to be prescribed by the Commissioners and filed with the Board, object to the granting of Sufficiency of, to be such license. In determining the sufficiency of such objections the owners of all such property not lying within a residential use district as defined in the zoning regulations and shown in the official atlases of the Zoning Commission shall be taken as consenting to the granting of such license, except that the Commissioners shall have power to file objections on behalf of any property lying within such ernment property. radius owned by the United States or the District of Columbia. This subsection shall be construed as a limitation upon the discretion of the Board in granting a license and not as a limitation upon the discretion of the Board in refusing a license: Provided, however, That none of the provisions of this Act shall prevent the Board from liquor in Government promulgating regulations to permit the lawful bona fide owners of warehouses. warehouse receipts for bonded liquors stored in Government warehouses either in the District of Columbia or elsewhere from withdrawing such bonded liquors for personal use on payment to the Collector of Taxes for the District of Columbia, taxes at such rates as provided in this Act: Provided, That such bona fide holder of such warehouse receipts held legal title to such warehouse receipts prior to the passage of this Act.

(d) A separate application shall be filed with respect to each Application to be place of business. The required license fee shall be paid to the Colfee. lector of Taxes and his duplicate receipt shall accompany the application for license. In the event the license is denied the fee shall be returned. Each application (except an application for a retailer's license, class F, or a solicitor's license) shall be accompanied by a bond on a form to be prescribed by the Commissioners, executed by the applicant with corporate surety approved by the Board, in the penal sum of \$1,000, said bond to run to the District of Columbia and be conditioned upon the payment by the applicant of any and all taxes due the District of Columbia under this Act and any and all fines that may be imposed upon the applicant under this Act. Said bond shall not become operative unless and until the license applied for is issued, and in the event said application is denied said bond shall be returned. Every such application shall be verified by the affidavit of the applicant, if an individual, or by all of the members of a partnership, or by the president or vice president of a corporation. If any false statement is knowingly made in such statements.

Penalty for false application, or in any accompanying statement under oath which may be required by the Commissioners or the Board, the person making the same shall be deemed guilty of perjury. The making of a false statement in any such application, or in any such accompanying statement, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the Board. constitute sufficient cause for the revocation of the license.

SEC. 10. No retailer's licenses except of class E shall be issued for any business conducted in a residential-use district as defined in the certain districts restricted. Zoning regulations and shown in the official atlases of the Zoning Hotel, elub, etc., processing and shown in the official atlases of the Zoning Hotel, elub, etc., provisions.

Objections of prop-rty owners may be

Propisos

Bond.

Verification.

apartment house, or club, and then only when the entrance to such restaurant or tavern is entirely inside of the hotel, apartment house, or club and no sign or display is visible from the outside of the building.

Wholesaler's, etc., establishments.

No wholesaler's license shall be issued for any establishment conducted in such residential-use district and no manufacturer's license shall be issued for any establishment conducted in a residential- or first commercial-use district as defined in the zoning regulations and shown in the official atlases of the Zoning Commission. Nothing herein contained shall be construed as permitting the establishment of a bottling works in violation of said zoning regulations.

Sec. 16. No license shall be transferred by the licensee to any

Bottling works.

Transfer provisions.

Fee

Proviso. Conditions imposed.

Revocation of licenses.

mises.

Ex-convict employ-

Hearing permitted. No part of fee to be returned.

Discretionary closing for ensuing year.

Manufacturer of beverages; interest in cer-tain business forbid-

other person or to any other place, except with the written consent of the Board, upon a regular application therefor in writing and after notice and hearing, as herein provided for an original application for license, and the fee to be paid by the party applying for such transfer shall be \$25, which shall be paid to the Collector of Taxes for the District of Columbia before such transfer is made: Provided, That the Board shall not allow the transfer of the license of any person against whom there is pending in the courts or before the Board any charge of keeping a disorderly house, or of violating this law or the laws against gambling in the District of Columbia.

Sec. 17. If any licensee violates any of the provisions of this Act

or any of the rules or regulations promulgated pursuant thereto or fails to superintend in person, or through a manager approved by the Board, the business for which the license was issued, or Unlawful use of pre- allows the premises with respect to which the license of such licensee was issued, to be used for any unlawful, disorderly, or immoral purpose, or knowingly employs in the sale or distribution of beverages any person who has, within five years prior thereto, been convicted of a misdemeanor under the National Prohibition Act, as amended and supplemented, or, within ten years prior thereto, been convicted of any felony, or such licensee otherwise fails to carry out in good faith the provisions of this Act, the license of said licensee may be revoked by the Board after the licensee has been given an opportunity to be heard in his defense, subject to review by the Commissioners as herein provided. In case a license issued hereunder shall be revoked, no part of the license fee shall be returned, and the Board may, in its discretion, subject to review by the Commissioners, as a part of the order of revocation provide that no license shall be granted for the same place for the period of one year next after such revocation, and in case such order shall be made, no license shall, during said year, be issued for said place or to a person or persons whose license is so revoked for any other location.

SEC. 18. If any manufacturer of beverages, whether licensed here-under or not, by direct ownership, stock ownership, interlocking directors, mortgage, or lien, or by any other means shall have such a substantial interest, whether direct or indirect, in the business of any wholesale or retail licensee or in the premises on which said business is conducted as in the judgment of the Board may tend to influence such licensee to purchase beverages from such manufacturer, the Board may, in its discretion, revoke the license issued in respect of the business in which such manufacturer is interested, subject to review by the Commissioners as herein provided. No such manufacturer of beverages shall loan or give any money to any wholesale or retail licensee or sell to such licensee for less than the fair market value or upon a conditional sale agreement or chattel trust, or rent, loan or give to such licensee any equipment, furniture, fixtures or property, or give or sell any service to such licensee for less than the fair market value thereof. No wholesale Accepting favors or retail licensee shall receive or accept any loan or gift of money from any such manufacturer or purchase from any such manufacturer for less than the fair market value or upon a conditional sale agreement or chattel trust, or rent from, borrow or receive by gift from such manufacturer any equipment, furniture, fixtures or property, or accept or receive any service from such manufacturer for less than the fair market value thereof. Nothing herein contained, however, shall prohibit the reasonable extension of credit by a manufacturer for beverages sold to a wholesale or retail licensee. When used in this section the word "manufacturer" shall include any stockholder holding directly or indirectly 25 per centum or more of the common stock or any officer of a manufacturer of beverages, if a corporation, whether licensed hereunder or not. This section shall not apply to retail licenses class E, or to the wholesale license held by a person not licensed hereunder owning an establishment for the manufacture of beverages.

SEC. 19. If any wholesaler of beverages, whether licensed hereunder or not, by direct ownership, stock ownership, interlocking directors, interest in retail businest gage, or lien or by any other means shall have such a substantial ness, etc., forbidden. interest either direct or indirect in the business of any retail licensee or in the premises on which said business is conducted as in the judgment of the Board may tend to influence such licensee to purchase beverages from such wholesaler, the Board may in its discretion revoke the license issued in respect of the business in which such wholesaler is interested, subject to review by the Commissioners as herein provided. No such wholesaler of beverages shall lend or give any money to any retail licensee or sell to such licensee for less than the fair market value or upon a conditional sale agreement or chattel trust, or rent, loan or give to such licensee any equipment, furniture, fixtures or property, or give or sell any service to such licensee for less than the fair market value thereof. No retail licensee shall receive or accept any loan or gift of money from any such wholesaler or purchase from any such wholesaler for less than the fair market value or upon a conditional sale agreement or chattel trust, or rent from, borrow or receive by gift from such wholesaler any equipment, furniture, fixtures, or property, or receive any service from such wholesaler for less than the fair market value thereof. Nothing herein contained, however, shall prohibit the reasonable Extending credit not extension of credit by a wholesaler for beverages sold to a retail prohibited. licensee. When used in this section the word "wholesaler" shall include any stockholder holding directly or indirectly 25 per centum or more of the common stock or any officer of a wholesaler of beverages, if a corporation, whether licensed hereunder or not. This section shall not apply to retail licenses class E.

Sec. 20. Licenses issued hereunder shall not authorize the sale or delivery of beverages, with the exception of beer and light wines, to any person under the age of twenty-one years, or beer or light per wines, to any person under the age of eighteen years, either for his own use or for the use of any other person; or the sale of beverages to any intoxicated person or to any person of notoriously intemperate habits or to any person who appears to be intoxicated; and ignorance of the age of any such minor shall not be a defense to any action instituted under this section. No licensee shall be liable to any person for damages claimed to arise from refusal to sell such alcoholic beverages.

SEC. 21. If any person holding a license under this Act shall become bail for any person complained of for the violation of any provisions bail.

Extending credit permitted.

"Manufacturer" in-cludes stockholder.

Druggists exempt.

Accepting favors.

Sale, etc., limitations.

Minors or intoxicated

of this Act, his license shall become void as of the date of becoming such bail.

Reports by licensees

Post, pp. 654, 656.

SEC. 22. (a) Each holder of a manufacturer's license shall, on or before the 10th day of each month, furnish to the Board on a form to be prescribed by the Commissioners, a statement under oath, showing the quantity of each kind of beverages, except beer, manufactured during the preceding calendar month. Beverages shall not be considered as manufactured within the meaning of this section and section 23 until they are ready for sale.

(b) Each holder of a wholesaler's or retailer's license shall, on or before the 10th day of each month, furnish to the Board on a form to be prescribed by the Commissioners, a statement under oath, showing the quantity of each kind of beverages, except beer, purchased by him during the preceding calendar month, and also showing the date of each such purchase, the name of the person from whom purchased, giving the license number of the vendor, if licensed hereunder, and the quantity and kind of beverages in each such purchase.

Sec. 23. There shall be levied and collected by the District of

Columbia on all beverages, except beer, manufactured by a holder of a manufacturer's license and on all beverages, except beer, purchased by the holder of a wholesaler's or retailer's license, except

Tax rates. Post, pp. 654, 1014.

Wine gallon of wine.

Champagne, etc.

Spirits.

Alcohol. Payment of taxes.

such beverages as may have been purchased from a licensee under this Act, a tax of 35 cents for every wine gallon of wine containing more than 14 per centum of alcohol by volume, except champagne or any wine artificially carbonated, and at a like rate for any other quantity or for fractional parts thereof; a tax of 50 cents for every wine gallon of champagne or any wine artificially carbonated, and at a like rate for any other quantity or for the fractional parts thereof; a tax of 50 cents on every wine gallon of spirits, and at a like rate for any other quantity or for the fractional parts thereof; and a tax of \$1.10 on every wine gallon of alcohol, and at a like rate for any other quantity or for the fractional parts thereof. The taxes imposed by this section shall be paid to the Collector of Taxes of the District of Columbia on or before the fifteenth day of each month for beverages manufactured by the holders of manufacturers' licenses or purchased by the holders of wholesalers' or retailers' licenses during the preceding calendar month, and such taxes shall be deposited in the Treasury of the United States to the credit of the District of Columbia. No tax shall be levied and collected on any alcohol exempt from tax under the laws of the United States, or on any alcohol sold for nonbeverage purposes, in accordance with regulations promulgated by the Commissioners. If any Act of Congress shall hereafter prescribe for a Federal volume tax on alcoholic beverages under which a portion of said tax shall be returned to the District of Columbia, the taxes levied under this section shall not be collected after the effective date of such Act.

Licensees doing business outside of the District.

SEC. 24. No person holding a wholesaler's or retailer's license shall purchase any beverage, except beer or tax-free wines, from any manufacturer or wholesaler doing business outside of the District of Columbia and not holding a license issued under the provisions of this Act, and transport or cause the same to be transported into the District of Columbia for resale, unless such wholesaler or retailer has delivered to the Board a memorandum of the order for such beverages, in duplicate, on a form to be prescribed by the Board, one copy to be retained by the Board and the other copy to have noted thereon by the Board the fact of its delivery to the Board, which said last-mentioned copy of said order shall accompany the shipment of said beverages to the licensed premises. This section shall not apply to beverages transported into the District of Columbia on club

Common carriers.

cars or dining cars of a railroad or passenger-carrying marine vessels for sale thereon.

SEC. 25. No licensee under this Act shall allow any person who ployees distributing, has, within five years prior thereto, been convicted of a misdemeanor etc., beverages. under the National Prohibition Act, as amended and supplemented, or, within ten years prior thereto, been convicted of any felony, to sell, give, furnish, or distribute any beverage, nor allow any minor under the age of twenty-one years of age to sell, give, furnish, or distribute any beverage, except beer, or any minor under the age

of eighteen years of age to sell, give, furnish, or distribute beer. Sec. 26. Said Board is hereby authorized and empowered to summon any person before it to give testimony on oath or affirmation, or to produce all books, records, papers, documents, or other legal evidence as to any matter affecting the operation of this Act and any member of said Board shall have the power to administer all oaths and affirmations for the purposes of the administration of this Act. Such summons may be served by any member of the Metropolitan Police Department. If any witness having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then and in that event any member of the Board may report that fact to the Supreme Court of the District of Columbia or one of the justices thereof and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpenas of that court. Witnesses, other than those employed by the District of Columbia or the United States Government, summoned to appear before said Board shall be entitled to the same fees as are paid witnesses for attendance before the Supreme Court of the District of Columbia, but said fees need not be paid said witnesses in advance of their appearing and testifying, or producing books, records, papers, documents, or other legal evidence before said Board. Any person who shall willfully swear falsely in any proceeding, matter, or hearing before said Board shall be deemed guilty of perjury.

or hearing before said Doard Shall be decined gamy, or portally.

Sec. 27. (a) No person shall be intoxicated while in charge of or operating any locomotive or while acting as a conductor or brakeman cated, prohibited.

Vol. 46, p. 1428. of a car or train of cars, or while in charge of or operating any street car, elevator, watercraft or horse-drawn vehicle in the District of Columbia.

(b) Any person violating the provisions of this section shall be punished by a fine of not more than \$300, or by imprisonment for not longer than three months, or by both such fine and imprisonment in the discretion of the court.

(c) Nothing herein contained shall be construed as repealing or modifying any provision of the Act of Congress entitled "An Act not affected to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth" approved February 27, 1931.

SEC. 28. (a) No person shall in the District of Columbia drink Drinking, etc., in cerany alcoholic beverage in any street, alley, park or parking, or in lawful. any vehicle in or upon the same, or in any place to which the public is invited for which a license has not been issued hereunder permitting the sale and consumption of such alcoholic beverage upon such premises. No person shall be drunk or intoxicated in any street, alley, park or parking, or in any vehicle in or upon the same or in any place to which the public is invited or at any public gathering and no person anywhere shall be drunk or intoxicated and disturb the peace of any person.

(b) Any person violating the provisions of this section shall be punished by a fine of not more than \$100 or by imprisonment for not

Taking testimony,

Witness fees allowed.

Punishment for.

Traffic Acts of D.C.

Punishment for.

more than thirty days or by both such fine and imprisonment in the discretion of the court.

Vol. 39, p. 1127. Ante, p. 28.

(c) Section 11 of the Act of Congress entitled "An Act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes", approved March 3, 1917, as amended by the Act of Congress entitled "An Act to provide revenue for the District of Columbia by the taxation of beverages, and for other purposes", approved April 5, 1933, and section 20 of said Act approved March 3, 1917, are hereby repealed.

Search warrants.

Sec. 29. (a) A search warrant may be issued by any judge of the police court of the District of Columbia or by a United States Commissioner for the District of Columbia when any alcoholic beverages are manufactured for sale, kept for sale, or sold in violation of the provisions of this Act, and any such alcoholic beverages and any other property designed for use in connection with such unlawful manufacture for sale, keeping for sale, or selling may be seized thereunder, and shall be subject to such disposition as the court may make thereof, and such alcoholic beverages may be taken on the

warrant from any house or other place in which it is concealed.

(b) A search warrant cannot be issued but upon probable cause supported by affidavit particularly describing the property and the

place to be searched.

(c) The judge or commissioner must, before issuing the warrant, examine on oath the complainant and any witness he may produce, and require their affidavits or take their depositions in writing and cause them to be subscribed by the parties making them.

(d) The affidavits or depositions must set forth the facts tending to establish the grounds of the application or probable cause for

believing that they exist.

(e) If the judge or commissioner is thereupon satisfied of the existence of the grounds of the application or that there is probable cause to believe their existence, he must issue a search warrant signed by him with his name of office to the major and superintendent of police of the District of Columbia or any member of the Metropolitan Police Department, stating the particular grounds or probable cause for its issue and the names of the persons whose affidavits have been taken in support thereof, and commanding him forthwith to search the place named for the property specified and to bring it before the judge or commissioner.

(f) A search warrant may in all cases be served by any of the officers mentioned in its direction, but by no other person, except in aid of the officer on his requiring it, he being present and acting

in its execution.

(g) The officer may break open any outer or inner door or window of a house, or any part of a house, or anything therein, to execute the warrant, if, after notice of his authority and purpose, he is

refused admittance.

(h) The judge or commissioner must insert a direction in the warrant that it be served in the daytime unless the affidavit is positive that the property is in the place to be searched in which case he must insert a direction that it be served at any time in the day or night.

(i) A search warrant must be executed and returned to the judge or commissioner who issued it within ten days after its date; after the expiration of this time the warrant, unless executed, is void.

(j) When the officer takes property under the warrant, he must give a copy of the warrant together with a receipt for the property taken (specifying it in detail) to the person from whom it was taken

by him, or in whose possession it was found; or, in the absence of Search warrantsany person, he must leave it in the place where he found the property.

(k) The officer must forthwith return the warrant to the judge or commissioner and deliver to him a written inventory of the property taken, made publicly or in the presence of the person from whose possession it was taken, and of the applicant for the warrant, if they are present, verified by the affidavit of the officer at the foot of the inventory and taken before the judge or commissioner at the time, to the following effect: "I, R. S., the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant."

(1) The judge or commissioner must thereupon, if required, deliver a copy of the inventory to the person from whose possession the

property was taken and to the applicant for the warrant.

(m) The judge or commissioner must annex the affidavits, search warrant, return, inventory, and evidence, and at once file the same, together with a copy of the record of his proceedings, with the clerk

of the police court.

(n) Whoever shall knowingly and willfully obstruct, resist, or oppose any such officer or person in serving or attempting to serve or execute any such search warrant, or shall assault, beat, or wound any such officer or person, knowing him to be an officer or person so authorized, shall be fined not more than \$1,000 or imprisoned not more than two years.

(o) If the accused be discharged, the beverages and other property seized shall be returned to the person in whose possession they were found; if he be convicted, the said beverages and other property shall be forfeited, and may be destroyed by the police department or delivered for medicinal, mechanical, or scientific uses to any department or agency of the United States Government or the District of Columbia government or any hospital or other charitable institution in the District of Columbia, or sold at public auction, as the

court may direct.

(p) If any of said property so seized, other than the said beverages and the containers thereof, shall be subject to a lien which is established by intervention or otherwise to the satisfaction of the court as being bona fide and as having been created without the lienor's having any notice that said property was to be used in connection with the illegal manufacture for sale, keeping for sale, or selling of alcoholic beverages, the court, upon the conviction of the accused, shall order a sale of said property at public auction and the officer making the sale, after deducting the expenses of keeping the property, the fee for the seizure and the cost of the sale, shall pay all such liens according to their priorities, and such lien or liens shall be transferred from the property to the proceeds of the

SEC. 30. That any minor who falsely represents his age for the ing age, to procure any purpose of procuring any beverage shall be deemed guilty of a misdemeanor and be fined for each offense not more than \$25 and, in default in the payment of such fine, shall be imprisoned not exceeding ten days.

SEC. 31. After the date of the approval of this Act no permit shall permits to sell 3.2% be issued under the Act of Congress entitled "An Act to provide revenue for the District of Columbia by the taxation of beverages and for other purposes", approved April 5, 1933, and no permits issued thereunder shall be renewed, but the Commissioners are hereby authorized to extend the expiration dates of permits issued under said Act to a date designated by them, not to exceed sixty days after the approval of this Act, upon such terms and conditions, including

Ante, p. 25.

Temporary extension permitted.

Refunds.

Taxes hereunder. Ante. p. 28.

Repeal in one year. Ante, p. 25.

Sales of spirits on hand by druggists.

Ante. pp. 323, 326.

Fine, etc., where no specific penalty is provided. lations promulgated pursuant thereto, shall be punished by a fine

Prosecutions for violations.

Inconsistent laws repealed.

Selling spirits on credit prohibited; exceptions.

Labeling, showing nature of spirits, etc.

the payment of such fees as the Commissioners may prescribe. Any permittee thereunder may make an application for a license under this Act, and, if said application is approved by the Board, such permittee shall surrender his permit and he shall be allowed a refund of the permit fee prorated as hereinafter provided. Any permittee under said Act of April 5, 1933, may surrender his permit and receive a refund of the permit fee prorated from the date of surrender of such permit to the date of expiration thereof. All such refunds shall be paid from the permanent indefinite appropriation for refunding erroneously paid taxes in the District of Columbia. All permits issued under said Act of April 5, 1933, shall remain in force and effect for the respective periods for which they were issued, unless sooner surrendered. After the approval of this Act no taxes shall be collected under section 11 of the Act approved April 5, 1933.

The said Act approved April 5, 1933, is repealed, effective one year from the date of approval of this Act.

SEC. 32. Any druggist or other person holding, on the date of the approval of this Act, a permit to manufacture, use, compound, or sell intoxicating liquors issued under the authority of the National Prohibition Act, as amended and supplemented, may, during such period of time as the Commissioners may designate, not to exceed sixty days after the approval of this Act, continue to manufacture, use, compound, and sell alcoholic beverages as provided in said permit notwithstanding the provisions of section 9 and section 36 of this Act, and the provision of section 11 (i) of this Act requiring the sale only of such liquors as are defined by the United States Pharmacopæia, but such manufacture, use, compounding, and sale shall be subject to all other provisions of this Act to the same extent Labeling require as if such permittee were licensed hereunder. No rectified or blended spirits shall be sold under this section unless the container in which it is sold shall bear a label containing in letters not less than one inch high the legend: "Rectified spirits", or "Blended spirits", as the case may be.

SEC. 33. Whosoever violates any of the provisions of this Act for which no specific penalty is provided, or any of the rules and regu-

of not more than \$1,000 or by imprisonment for not longer than one year or by both such fine and imprisonment in the discretion of the

court. Prosecutions for violations of this Act shall be on information filed in the police court by the corporation counsel or any of his assistants, except for such violations as are felonies, and prosecutions for such violations as are felonies shall be by the United States Attorney in and for the District of Columbia or any of his assistants.

Sec. 34. All laws which prohibit the sale of alcoholic beverages in certain defined sections or parts of the District of Columbia are

hereby repealed.
SEC. 35. No holder of a retailer's license, except a retailer's license class E, shall sell on credit any beverages except beer and light wines. This section shall not prohibit a club from extending credit to its members or the guests of members or a hotel from extending credit to its registered guests.

Sec. 36. No rectified or blended spirits shall be sold unless the container in which it is sold shall bear a legible label firmly affixed thereto stating the nature and percentage of each ingredient therein (except water), the age of each such ingredient, and the alcoholic content of such spirits by volume.

SEC. 37. Any offense committed, or any right accrued, or any pen- Saving clause; continuing prosecutions, alty or obligation incurred, or any seizure or forfeiture made, prior etc. to the effective date of this Act, under the provisions of the National Prohibition Act, as amended and supplemented, or under any permit or regulation issued thereunder, or under any other provision of law repealed by this Act, may be prosecuted or enforced in the same manner and with the same effect as if this Act had not been enacted.

SEC. 38. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Approved, January 24, 1934.

Separability of provisions.

[CHAPTER 5.]

AN ACT

Relating to contracts and agreements under the Agricultural Adjustment Act.

January 25, 1934. [S. 2284.] [Public, No. 86.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 3741 of the Revised Statutes (U.S.C., title 41, sec. 22) and restricted the Revised Statutes (U.S.C., title 41, sec. 22) and restricted to the Criminal Code of the United States of Members of Congress, restricted to the Company of the Company of the Company of the Company of the Congress, restricted to the Congress, restricted to the Congress of the Congress, restricted to the Congress of Congress, restricted to the Congress of the Congress of Congress, restricted to the Congress of Congress of Congress, restricted to the Congress of (U.S.C., title 18, secs. 204 and 205) shall not apply to any contracts of congress, or agreements heretofore or hereafter entered into under the Agrivol. 35, p. 1109; U.S.C., p. 475. cultural Adjustment Act.

Approved, January 25, 1934.

[CHAPTER 6.]

AN ACT

To protect the currency system of the United States, to provide for the better use of the monetary gold stock of the United States, and for other purposes.

January 30, 1934. [H.R. 6976.] [Public, No. 87]

Be it enacted by the Scnate and House of Representatives of the United States of America in Congress assembled, That the short Post, p. 1060. title of this Act shall be the "Gold Reserve Act of 1934."

Sec. 2. (a) Upon the approval of this Act all right, title, and interest, and every claim of the Federal Reserve Board, of every Federal Reserve bank, and of every Federal Reserve agent, in and to any and all gold coin and gold bullion shall pass to and are hereby vested in the United States; and in payment therefor credits in equivalent amounts in dollars are hereby established in the Treasury in the accounts authorized under the sixteenth paragraph of section 16 of the Federal Reserve Act, as heretofore and by this paragraph act amended (U.S.C., title 12, sec. 467). Balances in such Balances payable in gold certificates. accounts shall be payable in gold certificates, which shall be in such form and in such denominations as the Secretary of the Treasury may determine. All gold so transferred, not in the possession of the United States, shall be held in custody for the United States and delivered upon the order of the Secretary of the Treasury; and the Federal Reserve Board, the Federal Reserve banks, and the Federal Reserve agents shall give such instructions and shall take such action as may be necessary to assure that such gold shall be so held and delivered.

held and delivered.

(b) Section 16 of the Federal Reserve Act, as amended, is further notes.

(c., p. 284; Post, p. 398.

(1) The third sentence of the first paragraph is amended to read tulerory. amended in the following respects:

(1) The third sentence of the first paragraph is amended to read full money. as follows: "They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank."

Gold Reserve Act of

Gold coin and bullion.
Title of Federal Reserve Board, etc., vest-ed in United States.

Payments Credits established

Balances payable in gold certificates.

Custodyanddelivery.

Application for notes; collateral required. Post, p. 398.

Reserves against deposits and circulating notes.
Vol. 40, p. 236; U.S. C., p. 285.

Proviso Gold certificates held as collateral included in.

Disposition of notes received otherwise than for redemption.

Vol. 40, p. 237; U.S. C., p. 285.

Minimum amount.

Reserve Board authority respecting note issues.

Interest rate.

(2) So much of the third sentence of the second paragraph as precedes the proviso is amended to read as follows: "The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this Act, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this Act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates:".

(3) The first sentence of the third paragraph is amended to read as follows: "Every Federal Reserve bank shall maintain reserves in gold certificates or lawful money of not less than 35 per centum against its deposits and reserves in gold certificates of not less than 40 per centum against its Federal Reserve notes in actual circulation: *Provided*, *however*, That when the Federal Reserve agent holds gold certificates as collateral for Federal Reserve notes issued to the bank such gold certificates shall be counted as part of the reserve which such bank is required to maintain against its Federal Reserve notes in actual circulation."

Reserve notes in actual circulation."

Reserve notes in actual circulation."

(4) The fifth and sixth sentences of the third paragraph are amended to read as follows: "Notes presented for redemption at Vol. 40, p. 236; U.S. the Treasury of the United States shall be paid out of the redemption fund and returned to the Federal Reserve banks through which tion fund and returned to the Federal Reserve banks through which they were originally issued, and thereupon such Federal Reserve bank shall, upon demand of the Secretary of the Treasury, reimburse such redemption fund in lawful money or, if such Federal Reserve notes have been redeemed by the Treasurer in gold certificates, then such funds shall be reimbursed to the extent deemed necessary by the Secretary of the Treasury in gold certificates, and such Federal Reserve bank shall, so long as any of its Federal Reserve notes remain outstanding, maintain with the Treasurer in gold certificates an amount sufficient in the judgment of the Secretary to provide for all redemptions to be made by the Treasurer. Federal Reserve notes received by the Treasurer otherwise than for redemption may be exchanged for gold certificates out of the redemption fund hereinafter provided and returned to the Reserve bank through which

they were originally issued, or they may be returned to such bank for the credit of the United States." (5) The fourth, fifth, and sixth paragraphs are amended to read

as follows:

"The Federal Reserve Board shall require each Federal Reserve

denosit in the Treasury of the United States Gold certificates de posited in Treasury for bank to maintain on deposit in the Treasury of the United States a sum in gold certificates sufficient in the judgment of the Secretary of the Treasury for the redemption of the Federal Reserve notes issued to such bank, but in no event less than 5 per centum of the total amount of notes issued less the amount of gold certificates held by the Federal Reserve agent as collateral security; but such deposit of gold certificates shall be counted and included as part of the 40 per centum reserve hereinbefore required. The Board shall have the right, acting through the Federal Reserve agent, to grant in whole or in part, or to reject entirely the application of any Federal Reserve bank for Federal Reserve notes; but to the extent that such application may be granted the Federal Reserve Board shall, through its local Federal Reserve agent, supply Federal Reserve notes to the banks so applying, and such bank shall be charged with the amount of the notes issued to it and shall pay such rate of

interest as may be established by the Federal Reserve Board on only that amount of such notes which equals the total amount of its outstanding Federal Reserve notes less the amount of gold certificates held by the Federal Reserve agent as collateral security. Federal Reserve notes issued to any such bank shall, upon delivery, together with such notes of such Federal Reserve bank as may be issued under section 18 of this Act upon security of United States 2 per centum Government bonds, become a first and paramount lien on all the assets of such bank.

"Any Federal Reserve bank may at any time reduce its liability believed to the believed of the lawful money of the United States. Federal Reserve notes so depos- Reissue of deposited ited shall not be reissued, except upon compliance with the con-

ditions of an original issue.

lawful money available exclusively for exchange for the outstanding tion.

Use of deposit as lawful money available exclusively for exchange for the outstanding tion. is a director. Upon the request of the Secretary of the Treasury the Federal Reserve Board shall require the Federal Reserve agent to transmit to the Treasurer of the United States so much of the gold certificates held by him as collateral security for Federal Reserve notes as may be required for the exclusive purpose of the redemption of such Federal Reserve notes, but such gold certificates when Deposited gold certificates as security. deposited with the Treasurer shall be counted and considered as if collateral security on deposit with the Federal Reserve agent.

(6) The eighth paragraph is amended to read as follows:

"All Federal Reserve notes and all gold certificates and lawful money issued to or deposited with any Federal Reserve agent under deposited with Reserve the provisions of the Federal Reserve Act shall hereafter be held agent.

Vol. 40, p. 238; U.S. C., p. 285, amended.
Custody of Reserve motes and collateral deposited with Reserve the provisions of the Federal Reserve Act shall hereafter be held agent. for such agent, under such rules and regulations as the Federal Reserve Board may prescribe, in the joint custody of himself and the Federal Reserve bank to which he is accredited. Such agent keeping for safeand such Federal Reserve bank shall be jointly liable for the safekeeping of such Federal Reserve notes, gold certificates, and lawful money. Nothing herein contained, however, shall be construed to Deposits of gold corprohibit a Federal Reserve agent from depositing gold certificates with Reserve with the Federal Reserve Board, to be held by such Board subject to his order, or with the Treasurer of the United States for the purposes authorized by law."

"The Secretary of the Treasury is hereby authorized and directed to receive deposits of gold or of gold certificates with the Treasurer U.S. Treasurer by Reor any Assistant Treasurer of the United States when tendered by any Federal Reserve bank or Federal Reserve agent for another than the treasurer of the United States when tendered by the serve bank or agent. any Federal Reserve bank or Federal Reserve agent for credit to its or his account with the Federal Reserve Board. The Secretary shall prescribe by regulation the form of receipt to be issued by the Treasurer or Assistant Treasurer to the Federal Reserve bank or Federal Reserve agent making the deposit, and a duplicate of such receipt shall be delivered to the Federal Reserve Board by the Treasurer at Washington upon proper advices from any Assistant Treasurer that such deposit has been made. Deposits so made shall certificates. be held subject to the orders of the Federal Reserve Board and shall be payable in gold certificates on the order of the Federal Reserve Board to any Federal Reserve bank or Federal Reserve agent at the Treasury or at the Subtreasury of the United States nearest the place of business of such Federal Reserve bank or such Federal Reserve agent. The order used by the Federal Reserve Board in making such payments shall be signed by the governor or vice governor, or such other officers or members as the Board may by regulation prescribe. The form of such order shall be approved by the Secretary of the Treasury."

Lien created

Receipt.

Orders for payment.

Acceptance of deposite as reserves.

(8) The eighteenth paragraph is amended to read as follows: "Deposits made under this section standing to the credit of any Federal Reserve bank with the Federal Reserve Board shall, at the option of said bank, be counted as part of the lawful reserve which it is required to maintain against outstanding Federal Reserve notes, or as a part of the reserve it is required to maintain against deposits."

Federal control over Secretary of the Treasury to issue regu-lations governing. of the

Sec. 3. The Secretary of the Treasury shall, by regulations issued hereunder, with the approval of the President, prescribe the conditions under which gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked: (a) for industrial, professional, and artistic use; (b) by the Federal Reserve banks for the purpose of settling international balances; and, (c) for such other purposes as in his judgment are not inconsistent with the purposes of this Act. Gold in any form may be acquired, transported, melted or treated, imported, exported, or earmarked or held in custody for foreign or domestic account (except on behalf of the United States) only to the extent permitted by, and subject to the conditions prescribed in, or pursuant to, such regulations. Such regulations may exempt from the provisions of this section, in whole or in part, gold situated in the Philippine Islands or other places beyond

Places beyond continental limits.

the limits of the continental United States.

Forfeiture of gold illegally withheld, etc.

Src. 4. Any gold withheld, acquired, transported, melted or treated, imported, exported, or earmarked or held in custody, in violation of this Act or of any regulations issued hereunder, or licenses issued pursuant thereto, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law; and in addition any person failing to comply with the provisions of this Act or of any such regulations or licenses, shall be subject to a penalty equal to twice the value of the gold in respect of which such failure

Penalty.

No gold hereafter to Sec. 5. No gold shall hereafter be coined, and no gold coin shall be coined. Vol. 31, p. 45; U.S.C., hereafter be paid out or delivered by the United States: Provided, however, That coinage may continue to be executed by the mints coinage for toreign of the United States for foreign countries in accordance with the Act of January 29, 1874 (U.S.C., title 31, sec. 367). All gold coin of the United States shall be withdrawn from circulation, and, together with all other gold owned by the United States, shall be formed into bars of such weights and degrees of fineness as the

countries.
U.S.C., p. 999.
Withdrawal of gold coin; formed into bars.

United States currency not redeemable in gold.

Provisos.
Exception, gold certificates owned by Re-

Reserves to be maintained.

In gold bullion.

In gold certificates.

Secretary of the Treasury may direct. SEC. 6. Except to the extent permitted in regulations which may be issued hereunder by the Secretary of the Treasury with the approval of the President, no currency of the United States shall be redeemed in gold: Provided, however, That gold certificates owned by the Federal Reserve banks shall be redeemed at such times and in such amounts as, in the judgment of the Secretary of the Treasury, are necessary to maintain the equal purchasing power of every kind of currency of the United States: And provided further, That the reserve for United States notes and for Treasury notes of 1890, and the security for gold certificates (including the gold certificates held in the Treasury for credits payable therein) shall be maintained in gold bullion equal to the dollar amounts required by law, and the reserve for Federal Reserve notes shall be maintained in gold certificates, or in credits payable in gold certificates maintained with the Treasurer of the United States under section 16 of the Federal Reserve Act, as heretofore and by this Act amended.

No redemptions in gold shall be made except in gold bullion bear-to be in bullion only.

Redemptions in gold be in bullion only.

Amount. ing the stamp of a United States mint or assay office in an amount equivalent at the time of redemption to the currency surrendered

for such purpose.

SEC. 7. In the event that the weight of the gold dollar shall at Increase in value of any time be reduced, the resulting increase in value of the gold held reduction of gold dollar by the United States (including the gold held as security for gold covered into Treasury.

Post, p. 1730. certificates and as a reserve for any United States notes and for Treasury notes of 1890) shall be covered into the Treasury as a miscellaneous receipt; and, in the event that the weight of the gold fers to compensate dedollar shall at any time be increased, the resulting decrease in value preciation. of the gold held as a reserve for any United States notes and for Treasury notes of 1890, and as security for gold certificates shall be compensated by transfers of gold bullion from the general fund, and there is hereby appropriated an amount sufficient to provide for such transfers and to cover the decrease in value of the gold in the general fund.

SEC. 8. Section 3700 of the Revised Statutes (U.S.C., title 31, R.8. sec. 3700, p. 731; p. 724) is amended to read as follows:

sec. 734) is amended to read as follows:

"Sec. 3700. With the approval of the President, the Secretary of Gold purchases authe Treasury may purchase gold in any amounts, at home or abroad, with any direct obligations, coin, or currency of the United States, authorized by law, or with any funds in the Treasury not otherwise appropriated, at such rates and upon such terms and conditions as Ra he may deem most advantageous to the public interest; any provision of law relating to the maintenance of parity, or limiting the purposes for which any of such obligations, coin, or currency, may be issued, or requiring any such obligations to be offered as a popular loan or on a competitive basis, or to be offered or issued at not less than par, to the contrary notwithstanding. All gold so purchased shall be included as an asset of the general fund of the Treasury."

Sec. 9. Section 3699 of the Revised Statutes (U.S.C., title 31, sec.

733) is amended to read as follows: "Sec. 3699. The Secretary of the Treasury may anticipate the payment of interest on the public debt, by a period not exceeding debt.

Anticipating interest payment of interest on the public debt, by a period not exceeding debt. est upon the coupons, as to him may seem expedient; and he may Sale of gold in public sell gold in any amounts, at home or abroad, in such manner and at such rates and upon such terms and conditions as he may deem most advantageous to the public interest, and the proceeds of any gold so sold shall be covered into the general fund of the Treasury: Provided, however, That the Secretary of the Treasury may sell the gold which is required to be maintained as a reserve or as security for currency issued by the United States, only to the extent necessary to maintain such currency at a parity with the gold dollar.

SEC. 10. (a) For the purpose of stabilizing the exchange value of the dollar, the Secretary of the Treasury, with the approval of the President, directly or through such agencies as he may designate, is authorized, for the account of the fund established in this section, to deal in gold and foreign exchange and such other instruments of credit and securities as he may deem necessary to carry out the purpose of this section. An annual audit of such fund shall be made and

a report thereof submitted to the President.

(b) To enable the Secretary of the Treasury to carry out the pro- Appropriation for maintenance of fund. visions of this section there is hereby appropriated, out of the receipts which are directed to be covered into the Treasury under section 7 hereof, the sum of \$2,000,000,000, which sum when available

Post, p. 1730.

Appropriation. Post, p. 1060.

Rates, terms, condi-

Added to general fund.

R.S., sec. 3699, p. 731; U.S.C., p. 1024.

Proviso. Parity maintenance.

Stabilization fund established; purposes.

Fund to be under shall be deposited with the Treasurer of the United States in a stascretary of Treasury; bilization fund (hereinafter called the "fund") under the exclusive control of the Secretary of the Treasury, with the approval of the

President, whose decisions shall be final and not be subject to review Availability of fund. by any other officer of the United States. The fund shall be available for expenditure, under the direction of the Secretary of the Treasury and in his discretion, for any purpose in connection with carrying out the provisions of this section, including the investment and reinvestment in direct obligations of the United States of any portions of the fund which the Secretary of the Treasury, with the approval of the President, may from time to time determine are not currently Proceeds of sales, etc. required for stabilizing the exchange value of the dollar. The proceeds of all sales and investments and all earnings and interest accruing under the operations of this section shall be paid into the fund and shall be available for the purposes of the fund

Duration of powers conferred.

(c) All the powers conferred by this section shall expire two years after the date of enactment of this Act, unless the President shall sooner declare the existing emergency ended and the operation of the stabilization fund terminated; but the President may extend such period for not more than one additional year after such date by proclamation recognizing the continuance of such emergency.

Rules and regula-tions authorized.

SEC. 11. The Secretary of the Treasury is hereby authorized to issue, with the approval of the President, such rules and regulations as the Secretary may deem necessary or proper to carry out the purposes of this Act.

Fixing weight of the gold dollar, etc.

Ante, p. 53.

SEC. 12. Paragraph (b) (2), of section 43, title III, of the Act approved May 12, 1933 (Public, Numbered 10, Seventy-third Congress), is amended by adding two new sentences at the end thereof, reading as follows:

Reduction, not exceeding 60% of present weight, authorized.
Executive powers defined; duration.

"Nor shall the weight of the gold dollar be fixed in any event at more than 60 per centum of its present weight. The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire two years after the date of enactment of the Gold Reserve Act of 1934 unless the President shall sooner declare the existing emergency ended, but the President may extend such period for not more than one additional year after such date by proc-

Ante, p 53.

lamation recognizing the continuance of such emergency."

Paragraph (2) of subsection (b) of section 43, title III, of an Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended by adding at the end of said paragraph (2) the following:

"The President, in addition to the authority to provide for the unlimited coinage of silver at the ratio of fixed and a radio and a ra

Ante, p. 53. Post, p. 1178.

unlimited coinage of silver at the ratio so fixed, under such terms and conditions as he may prescribe, is further authorized to cause to be issued and delivered to the tenderer of silver for coinage, silver certificates in lieu of the standard silver dollars to which the tenderer would be entitled and in an amount in dollars equal to the number of coined standard silver dollars that the tenderer of such silver for coinage would receive in standard silver dollars.

certificates against any silver re-serve in the Treasury.

"The President is further authorized to issue silver certificates in such denominations as he may prescribe against any silver bullion, silver, or standard silver dollars in the Treasury not then

held for redemption of any outstanding silver certificates, and to coin standard silver dollars or subsidiary currency for the redemp-

tion of such silver certificates.

"The President is authorized, in his discretion, to prescribe dif- Seigniorage charges, ferent terms and conditions and to make different charges, or to collect different seigniorage, for the coinage of silver of foreign production than for the coinage of silver produced in the United States or its dependencies. The silver certificates herein referred to Legal tender, contains the latter produced in the United States or its dependencies. shall be issued, delivered, and circulated substantially in conformity with the law now governing existing silver certificates, except as may herein be expressly provided to the contrary, and shall have and possess all of the privileges and the legal tender characteristics of existing silver certificates now in the Treasury of the United States, or in circulation.

"The President is authorized, in addition to other powers, to Weight of silver reduce the weight of the standard silver dollar in the same percentage

that he reduces the weight of the gold dollar.

"The President is further authorized to reduce and fix the weight of subsidiary coins so as to maintain the parity of such coins with

the standard silver dollar and with the gold dollar."

Sec. 13. All actions, regulations, rules, orders, and proclamations Sec. 13. All actions, regulations, rules, orders, and proclamations Designated Executeretofore taken, promulgated, made or issued by the President tive orders, proclamations, etc., approved. of the United States or the Secretary of the Treasury, under the Act of March 9, 1933, or under section 43 or section 45 of title III of the Act of May 12, 1933, are hereby approved, ratified, and confirmed.

SEC. 14. (a) The Second Liberty Bond Act, as amended, is further needed as follows:

(1) By adding at the end of section 1 (U.S.C., title 31, sec. 752; Sec., p. 1026; Supp. VII, title 31, sec. 752), a new paragraph as follows:

Second Liberty Bond Act amendments. Vol. 40, pp. 288, 502, 44; Vol. 40, pp. 288, 502, pp. 1026; Supp. VII, p. 770. amended as follows:

Supp. VII, title 31, sec. 752), a new paragraph as follows:
"Notwithstanding the provisions of the foregoing paragraph, the Secretary of the Treasury may from time to time, when he deems it to be in the public interest, offer such bonds otherwise than as a allotments upon any applications whether or not the offering was lotments.

Applications and allotments upon any applications whether or not the offering was lotments.

(2) By inserting in section 8 (U.S.C., title 31, sec. 771), after the words "certificates of indebtedness", a comma and the words "Deposit of proceeds. Vol. 40, p. 29; U.S.C., "Vol. 40, p. 29; U.S.C., p. 1029, amended. Treasury bills".

"Treasury bills".

"Treasury bills".

(3) By striking out the figures "\$7,500,000,000" where they United States appear in section 18 (U.S.C., title 31, sec. 753) and inserting in lieu Vol. 40, p. U.S.C., p. 1026. thereof the figures "\$10,000,000,000."

(4) By adding thereto two new sections, as follows:

"Sec. 19. Notwithstanding any other provisions of law, any obligations herein gations authorized by this Act may be issued for the purchase, used to pay outstanding on refunding at or before maturity of any outstanding ing indebtedness, etc. redemption, or refunding, at or before maturity, of any outstanding bonds, notes, certificates of indebtedness, or Treasury bills, of the United States, or to obtain funds for such purchase, redemption, or refunding, under such rules, regulations, terms, and conditions as the Secretary of the Treasury may prescribe.
"Sec. 20. The Secretary of the Treasury may issue any obliga-

tions authorized by this Act and maturing not more than one year est-bearing obligations, on discount basis. from the date of their issue on a discount basis and payable at maturity without interest. Any such obligations may also be offered Sale, on competitive for sale on a competitive basis under such regulations and upon such terms and conditions as the Secretary of the Treasury may prescribe. and the decisions of the Secretary in respect of any issue shall

be final."

Legal tender, circu

Weight of silver dol-

Subsidiary coins.

Ante, pp. 1, 51, 53.

Bonds, other than public issue, permitted.

United States notes.

Cumulative sinking

Limitation.

Definitions.

Equivalents as be-tween dollars or cur-rency, and gold; face value, etc.

Revaluation provision Ante, p. 52

Rights reserved. Saving clause.

Inconsistent Acts, etc., repealed.

(b) Section 6 of the Victory Liberty Loan Act (U.S.C., title 31, vol. 40, p. 1311; Vol. sec. 767; Supp. VII, title 31, secs. 767–767a) is amended by striking 724. p. 1427; Vol. 47, p. out the words "for refunding purposes", together with the preceding

Uses "for refunding purposes" repealed.

Issue of gold certificates authorized.

C) The Secretary of the Treasury is authorized to issue gold certificates in such form and in such denominations as he may determine the such denomination of the United States. mine, against any gold held by the Treasurer of the United States, except the gold fund held as a reserve for any United States notes and Treasury notes of 1890. The amount of gold certificates issued and outstanding shall at no time exceed the value, at the legal

standard, of the gold so held against gold certificates.

SEC. 15. As used in this Act the term "United States" means the Government of the United States; the term "the continental United States" means the States of the United States, the District of Columbia, and the Territory of Alaska; the term "currency of Livity of Livity of States" means are already to the United States. the United States" means currency which is legal tender in the United States, and includes United States notes, Treasury notes of 1890, gold certificates, silver certificates, Federal Reserve notes, and circulating notes of Federal Reserve banks and national banking associations; and the term "person" means any individual, partnership, association, or corporation, including the Federal Reserve Board, Federal Reserve banks, and Federal Reserve agents. Wherever reference is made in this Act to equivalents as between dollars

or currency of the United States and gold, one dollar or one dollar face amount of any currency of the United States equals such a number of grains of gold, nine tenths fine, as, at the time referred to, are contained in the standard unit of value, that is, so long as the President shall not have altered by proclamation the weight of the gold dollar under the authority of section 43, title III, of the Act approved May 12, 1933, as heretofore and by this Act amended, twenty-five and eight tenths grains of gold, nine tenths fine, and thereafter such a number of grains of gold, nine tenths fine, as the President shall have fixed under such authority.

Sec. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 17. All Acts and parts of Acts inconsistent with any of the provisions of this Act are hereby repealed.

Approved, January 30, 1934.

[CHAPTER 7.]

AN ACT

January 31, 1934. [H.R. 6670.] [Public, No. 88]

To provide for the establishment of a corporation to aid in the refinancing of farm debts, and for other purposes.

etc. Principal office, management, etc. Board of directors.

Governor, etc.

Be it enacted by the Senate and House of Representatives of the Federal Farm Mortgage Corporation Act.

Corporation established to aid in refinancing of farm dobts,
Principal office, man.

"corporation." The principal office of the corporation shall be located in the District of Columbia and the management of the corporation shall be vested in a board of directors consisting of the Secretary of the Treasury, or an officer of the Treasury designated by him, the Governor of the Farm Credit Administration, hereinafter in this Act referred to as the "Governor". and the Land Bank

Commissioner. The directors shall receive no additional compensa- No additional pay; expenses allowed. tion for their services as directors of the corporation, but may be allowed actual necessary traveling and subsistence expenses when engaged in the business of the corporation outside of the District of Columbia. The Governor shall be the chairman of the board of The directors shall have power to adopt such bylaws, rules, regulations, and amendments thereto as they deem necessary for the conduct of the business of the corporation authorized under The directors shall have power, without regard to the provisions of other laws applicable to the employment and com- Employment and com- ties, etc. pensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees of the corporation as may be necessary to carry out the powers and duties conferred upon the corporation by this Act, to require bonds of them and fix the penalties thereof and dismiss them at pleasure, and to prescribe the manner in which the obligations of the corporation shall be incurred and its expenses allowed and paid, but the rates of compensation of such agents, officers, and tion prescribed for comparable duties by the Classification Act of VII, p. 34.

Pay limitations. U.S.C., p. 65 Supp. 1923, as amended.

Sec. 2. The corporation shall have succession until dissolved by Scorporation to have Act of Congress; shall have power to sue and be sued in any court, corporate powers. to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this Act. The corporation shall be entitled to the free use of the United States mails in the same manner as the executive departments of the Government. The corporation, with the consent of any board, commission, independent establishment, or executive department of the Government, may avail itself of the use of information, services, facilities, officers, agents, and employees thereof, in carrying out the provisions of this Act.

SEC. 3. The capital of the corporation shall be in the sum of Capital; subscribed \$200,000,000, which shall be subscribed by the Governor on behalf of the United States in such amounts and at such times as he deems necessary for the purposes of the corporation. For the purpose of such capital subscription, the funds and proceeds thereof made availsuch capital subscription, the funds and proceeds thereof made available to able to the Land Bank Commissioner under section 32 of the Emersioner.

Sency Farm Mortgage Act of 1933 and the mortgages taken by the Ante, p. 48. gency Farm Mortgage Act of 1933 and the mortgages taken by the Commissioner and the credit instruments secured thereby are hereby transferred to the corporation.

SEC. 4. (a) With the approval of the Secretary of the Treasury, Bond issue authorthe corporation is authorized to issue and have outstanding at any one time bonds in an aggregate amount not exceeding \$2,000,000,000. Such bonds shall be in such forms and denominations, shall have such maturities, shall be r such rates of interest, shall be subject to etc. such terms and conditions, and shall be issued in such manner and sold at such prices, as may be prescribed by the corporation, with the approval of the Secretary of the Treasury. Such bonds shall To be uncon be fully and unconditionally guaranteed both as to interest and principal by the United States and such guaranty shall be expressed on the face thereof, and such bonds shall be lawful investments, and Lawful investment may be accepted as security, for all fiduciary, trust, and public funds funds. the investment or deposit of which shall be under the authority or control of the United States or any officer or officers thereof. In to purchase if corporation shall be unable to pay upon demand, tion unable to pay.

Powers of directors.

Employees; pay, du-

Bonds required.

Franking privilege.

Other facilities, etc.

Maturities, interest.

To be uncondition-

Purchase of corporation bonds.

Available funds.

Vol. 40, p. 288; U.S.C, p. 1026; Supp. VII, p. 770.

Operations to be treated as public debt transactions

Security.

Open market purchases.

Exchange for consolidated farm loan bonds.

such Purchase of bonds authorized.

Investments in direct mortgage loans.

Ante, p. 48.

Form, delivery, etc., of bonds.

Custody of plates, etc.

Reimbursement.

Bond issues by Federal land bank to cease in 90 days.

Ante, p. 41.

Except for refinanc-

gage Corporation bonds.
Vol. 39, p. 372.
Ante, p. 42.
U.S.C., Supp. VII, p.

when due, the principal of, or interest on, such bonds, the Secretary of the Treasury shall pay to the holder the amount thereof which is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such bonds. The Secretary of the Treasury, in his discretion, is authorized to purchase any bonds of the corporation issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Loan Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of the corporation's bonds hereunder. The Secretary of the Treasury may, at any time, sell any of the bonds of the corporation acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of the bonds of the corporation shall be treated as public debt transactions of the United States. Such bonds shall be fully and adequately secured by such assets of the corporation and in such manner as shall be prescribed by its board of directors. The corporation shall have power to purchase such bonds in the open market at any time and at any price. On such terms and conditions as may be agreed upon, the corporation may exchange such bonds, upon application of any Federal land bank for consolidated farm loan bonds of equal face value issued under the Federal Farm Loan Act, as amended, and may exchange such consolidated farm loan bonds held by it for bonds of the corporation of equal face value.

(b) The corporation is further authorized to purchase from time to time, for cash, such consolidated farm-loan bonds at such prices and upon such terms as may be approved by the board of directors of the corporation, to make loans to Federal land banks on the security of such consolidated bonds, and to invest its funds in mortgage loans made under section 32 of the Emergency Farm Mortgage

Act of 1933, as amended.

(c) In order to furnish bonds for delivery by the Federal Farm Mortgage Corporation, the Secretary of the Treasury is hereby authorized to prepare suitable bonds in such form, subject to the provisions of this Act, as the board of directors may approve, such bonds when prepared to be held in the Treasury subject to delivery upon order of the corporation. The engraved plates, dies, bedpieces, and so forth, executed in connection therewith shall remain in the custody of the Secretary of the Treasury. The corporation shall reimburse the Secretary of the Treasury for any expenditures made in the preparation, custody, and delivery of such bonds.

SEC. 5. After ninety days after the enactment of this Act, no Federal land bank shall issue any bonds under the provisions of the last paragraph of section 32 of the Federal Farm Loan Act, as amended, subject to the guarantee of interest on such bonds by the United States except for the purpose of refinancing any bond which is or has been issued subject to such guarantee of interest.

Federal Farm Loan Act, amendment. Vol. 39, p. 367; Vol. Loan Act, as amended (U.S.C., Sup. VII, title 12, sec. 723), may, at 47, p. 1547. Loansin Farm Mort. the option of the Federal land bank, be made in bonds of the Federal Farm Mortgage Corporation.

SEC. 7. The thirteenth paragraph of section 12 of the Federal Farm Loan Act, as amended (U.S.C., Sup. VII, title 12, sec. 772), is amended to read as follows:

"Amounts transmitted to farm loan associations by Federal land Disbursements for loans; optional classes. banks to be loaned to its members shall, at the option of the bank, be in current funds or Federal Farm Mortgage Corporation bonds, or, at the option of the borrower, in farm loan bonds.

Sec. 8. (a) Section 13 of the Federal Farm Loan Act, as amended (U.S.C., Sup. VII, title 12, sec. 781), is amended by inserting at the 195.

end thereof the following new paragraphs:
"Fifteenth. To exchange farm loan bonds for Federal Farm Mortgage Corporation bonds of equal face value, and to purchase Federal Farm Mortgage Corporation bonds at or below par.

"Sixteenth. To exchange Federal Farm Mortgage Corporation

bonds for farm loan bonds of equal face value."

(b) The seventh paragraph of section 22 of the Federal Farm p. 311. Loan Act, as amended (U.S.C., title 12, sec. 897), is amended by

adding the following after the first subparagraph (d) thereof:

"(e) To purchase Federal Farm Mortgage Corporation bonds."

SEC. 9. Section 32 of the Emergency Farm Mortgage Act of 1933 (U.S.C., Sup. VII, title 12, sec. 1016) is amended by inserting at the sioner authorized to end thereof the following: "Until February 1, 1936, the Land Bank of Corporation until Commissioner shall in his name, make loans under this section on February 1, 1936 Commissioner shall, in his name, make loans under this section on behalf of the Federal Farm Mortgage Corporation, either in cash or in bonds of the corporation at his election, but no such loans shall be made by him after February 1, 1936, except for the purpose of refinancing loans previously made by him under this section. Not able. to exceed \$600,000,000 of the bonds and proceeds thereof issued under section 4 of the Federal Farm Mortgage Corporation Act are hereby made available for the purposes of this section, in addition to the amounts transferred to such corporation under section 3 of

Sec. 10. Section 32 of the Emergency Farm Mortgage Act of 1933 is amended by striking out "\$5,000" and inserting in lieu thereof

"\$7,500."

Sec. 11. Section 62 of the Farm Credit Act of 1933 (relating to fiscal agents of the United States) (U.S.C., Sup. VII, title 12, sec. 1138b) is amended by inserting after "Associations," the following:

"the Federal Farm Mortgage Corporation,".

Sec. 12. (a) The corporation, including its franchise, its capital, To be exempt from reserves, and surplus, and its income shall be exempt from all taxaery taxes. tion now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority; except that any real property of the corporation shall be subject to State, Territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

(b) Mortgages executed to the Land Bank Commissioner and mortgages held by the corporation, and the credit instruments secured thereby, and bonds issued by the corporation under the provisions of this Act, shall be deemed and held to be instrumentalities of the Government of the United States, and as such they and the income derived therefrom shall be exempt from Federal, State, municipal, and local taxation (except estate, inheritance, and

gift taxes)

SEC. 13. Section 64 of the Farm Credit Act of 1933 (relating to unlawful acts and penalties) (U.S.C., Sup. VII, title 12, sec. 1138d) is amended by inserting after "Farm Credit Administration" wherever such phrase appears a comma and the following: "any Federal intermediate credit bank, or the Federal Farm Mortgage Unlawful acts and penalties therefor. Certain statutory provisions extended to Corporation and intermediate credit bank, or the Federal Farm Mortgage Supp. VII, p. 207; U.S.C. Supp. VII, p. 217 Corporation,".

Vol. 39, p. 372. Ante, p. 42. U.S.C., Supp. VII, p

Interchange of bonds

To purchase Corporation bonds. Ante, p. 48. Land Bank Commis-

Sums made avail-

Maximum loan increased.

Ante, p. 48.
Corporation to act as
U.S. fiscal agents.

Ante, p. 267; U.S.C.,
Supp. VII, p. 216.

Mortgages and credit instruments deemed Federal instrumentali-

Tax exemptions. Post, p. 360.

Exceptions.

Designated funds transferred to the Gov-ernor of the Farm Credit Administration.

Ante, p. 258.

Use by the Governor in subscribing to stock, etc., of intermediate credit banks.

Federal Intermediate Credit Banks.
Governor to subscribe to stock, etc., of, to meet credit needs of borrowers.
Vol. 42, p
U.S.C., p. 317.

Shares, etc.

Payments.

Federal Reserve banks.
Advances by, on de-posit of Corporation posit of Corpo bonds. U.S.C., p. 282. Ante, p. 180.

Separability provi-

SEC. 14. Paragraph (2) of subsection (a) of section 5 of the Farm Credit Act of 1933 (U.S.C., Sup. VII, title 12, sec. 1131i) is amended redit Administration. by striking out the period at the end thereof and inserting a comma Ante, p. 208. U.S.C., Supp. VII, p. and the following: "and the notes or other obligations evidencing" such advances and loans and the security therefor are hereby transferred to the Governor of the Farm Credit Administration.

SEC. 15. (a) Section 5 of the Farm Credit Act of 1933 (U.S.C., Sup. VII, title 12, sec. 1131i) is amended by inserting at the end

thereof the following new subsection:

Revolving fund established, from allocated under subsection (a) to the revolving fund created thereAdministration.

(e) The amount of all balances, collections, and appropriations allocated under subsection (a) to the revolving fund created thereander which is in excess of \$120,000,000 is hereby made available under, which is in excess of \$120,000,000, is hereby made available to the Governor of the Farm Credit Administration for the establishment of a revolving fund of not to exceed \$40,000,000. Out of such revolving fund, the Governor is authorized to allocate and, with the approval of the Secretary of the Treasury, to expend such amounts as he deems necessary for subscriptions to the capital stock and/or paid-in surplus of Federal Intermediate Credit Banks."

(b) The first sentence of section 205 of the Federal Farm Loan

Farm Loan Act (b) The first sentence of section 205 of the Federal Farm Loan Act (U.S.C., Sup. VII, title 12, sec. 1061), as amended, is amended stock permitted. Vol. 42, p. 1457; by striking out the period at the end thereof and inserting in lieu U.S.C., Supp. VII, p. thereof a comma and the following: "which amount may be increased from time to time with the amount of the commandation of the first sentence of section 205 of the Federal Farm Loan Act (U.S.C., Sup. VII, title 12, sec. 1061), as amended, is amended by striking out the period at the end thereof and inserting in lieu increased from time to time with the amount of the first sentence of section 205 of the Federal Farm Loan Act (U.S.C., Sup. VII, title 12, sec. 1061), as amended, is amended by striking out the period at the end thereof and inserting in lieu u.S.C., Supp. VII, p. thereof a comma and the following: "which amount may be increased from time to time with the amount of the commandation of the first sentence of section 205 of the Federal Farm Loan Act (U.S.C., Sup. VII, title 12, sec. 1061), as amended, is amended by striking out the period at the end thereof and inserting in lieu u.S.C., Supp. VII, p. thereof a comma and the following: "which amount may be increased from time to time to time the first time the first time to time the first time time the first time the fir increased from time to time with the approval of the Governor of

the Farm Credit Administration'

(c) Section 205 of the Federal Farm Loan Act (U.S.C., title 12, sub- sec. 1061), as amended, is further amended by adding at the end ter, of thereof the following: "With the approval of the Secretary of the Treasury, the Governor of the Farm Credit Administration is hereby authorized to subscribe from time to time to the capital stock and/or paid-in surplus of any Federal Intermediate Credit Bank on behalf of the United States, in such amounts as he may determine are necessary for the purpose of meeting the credit needs of eligible borrowers from the bank, and the amount of the capital stock and paid-in surplus of such bank may be increased or decreased from time to time by the Governor, in accordance with such needs. Such stock shall be divided into shares of \$100 each and subscriptions to such paid-in surplus shall be made in multiples of \$100 out of the revolving fund created under subsection (e) of section 5 of the Farm Credit Act of 1933, as amended. The Governor on behalf of the United States shall make payment for stock and paid-in surplus of such bank and such payment shall be subject to call in whole or in part by the board of directors of the bank, with the approval of the Governor."

Sec. 16. (a) The first sentence of the eighth paragraph of section 13 of the Federal Reserve Act, as amended, is further amended by inserting before the semicolon after the words "section 13 (a) of this Act" a comma and the following: "or by the deposit or pledge of Federal Farm Mortgage Corporation bonds issued under the Federal Farm Mortgage Corporation Act."

May deal in Corporation bonds.

(b) Paragraph (b) of section 14 of the Federal Reserve Act, as Vol 38, p. 265; U.S.C. amended (U.S.C., title 12, secs. 353-358), is further amended by inserting after the words "bonds and notes of the United States" a comma and the following: "bonds of the Federal Farm Mortgage

Corporation having maturities from date of purchase of not exceeding six months."

SEC. 17. (a) If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

(b) The right to alter, amend, or repeal this Act is hereby expressly reserved.

Right to amend, etc.

Sec. 18. This Act may be cited as the "Federal Farm Mortgage Short title. Corporation Act ".

Approved, January 31, 1934.

[CHAPTER 8.]

JOINT RESOLUTION

To provide appropriations to carry into effect the Act entitled "An Act to control the manufacture, transportation, possession, and sale of alcoholic beverages [Pub. Res., No. 13.] in the District of Columbia", approved January 24, 1934.

February 2, 1934. [H.J.Res. 250.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for carrying into effect the provisions of the Act entitled "An Act to control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia", approved January 24, 1934, there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending June 30, 1934, and payable from the revenues of the District of Columbia, the following sums, respectively:

DISTRICT OF COLUMBIA

Alcoholic Beverage Control Board: For personal services, rent, Control Board. advertising, printing and binding, office equipment and supplies, street-car and bus transportation, telephone service, and other necessary contingent and miscellaneous expenses, \$23,054.

Office of corporation counsel: For an additional amount for per- Corporation counsel's sonal services, \$3,613.

Approved, February 2, 1934.

[CHAPTER 9.]

AN ACT

To amend an Act approved March 4, 1929 (45 Stat. 1548), entitled "An Act to supplement the last three paragraphs of section 5 of the Act of March 4, 1915 (38 Stat. 1161), as amended by the Act of March 21, 1918 (40 Stat. 458)."

February 14, 1934. [S. 157.] [Public, No. 89.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act public lands, approved March 4, 1929 (45 Stat. 1548), entitled "An Act to supplement the last three paragraphs of section 5 of the Act of March

4, 1915 (38 Stat. 1161), as amended by the Act of March 21, 1918 (40 Stat. 458)", be amended to read as follows:

"That where it shall be made to appear to the satisfaction of the Relief granted certain Secretary of the Interior with reference to any lawful pending obtain water. desert-land entry made prior to July 1, 1925, under which the entryman or his duly qualified assignee under an assignment made prior to the date of this Act has in good faith expended the sum of \$3 per acre in the attempt to effect reclamation of the land, that there is no reasonable prospect that he would be able to secure water sufficient to effect reclamation of the irrigable land in his entry or any legal subdivision thereof, the Secretary of the Interior may, in his discretion, allow such entryman or assignee ninety days from notice within which to pay to the register of the United States land office 25 cents an acre for the land embraced in the entry and to file an scribed. election to perfect title to the entry under the provisions of this Act, and thereafter within one year from the date of filing of such election to pay to the register the additional amount of 75 cents an acre,

Provise.

Entry to be canceled Entry to be canceled case the final payment be not made within the time prescribed the entry shall be canceled and all money theretofore paid shall be forfeited."

Approved, February 14, 1934.

CHAPTER 10.1

AN ACT

February 14, 1934. [S. 284] [Public, No. 90.1

Authorizing the conveyance of certain lands to School District Numbered 28, Deschutes County, Oregon.

Conveyance of certain lands to, for school

Deschutes County, Orey, School District United States of America in Congress assembled, That the Secretary Be it enacted by the Senate and House of Representatives of the of the Interior is authorized and directed to convey, by quitclaim deed, to School District Numbered 28, Deschutes County, Oregon, for use for school purposes, the following-described area: The southwest quarter southwest quarter southwest quarter section 27, township 17 south, range 13 east, Williamette ¹ meridian; but if such school district fails to use such lands for the purposes herein provided, or attempts to alienate such lands, title thereto shall revert to the United States.

Approved, February 14, 1934.

[CHAPTER 11.]

AN ACT

February 14, 1934. [S. 1774.] [Public, No. 91.]

To provide for extension of time for making deferred payments on homestead entries in the abandoned Fort Lowell Military Reservation, Arizona.

Be it enacted by the Senate and House of Representatives of the For Lowell Military United States of America in Congress assembled, That the time Reservation, Ariz. Time extended for within which a homestead entryman for lands in the abandoned Fort making deferred payments on homestead entres in. Vol. 47, p. 153.

Vol. 47, p. 153.

We entire that Polace of Arizona, That the time Reservation, Ariz. Congress assembled, That the time Reservation, In the State of Arizona, shall make deferred payments be, and it is hereby, extended for a period of two years from the 1933 anniversary of the date of the acceptance of his years from the 1933 anniversary of the date of the acceptance of his proof tendered on his entry.

Approved, February 14, 1934.

[CHAPTER 12.]

AN ACT

February 15, 1934. [S. 313.] [Public, No. 92]

To amend section 5 of the Act approved July 10, 1890 (28 Stat. 664'), relating to the admission into the Union of the State of Wyoming.

Proceeds from sales of, to constitute permanent school fund.

Leases allowed for mineral, grazing, agri-cultural, etc., purposes.

Terms of, limited.

Restriction.

Be it enacted by the Senate and House of Representatives of the Wyoming, school United States of America in Congress assembled, That section 5 of Wydning, school United States of America in Congress assembled, That section 5 of Vol. 26, p. 223, the Act approved July 10, 1890 (28 Stat. 664 1), be, and the same is amended. hereby, amended to read as follows:

"That all lands herein granted for educational purposes shall be disposed of only at public sale, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the legislature shall prescribe, be leased for mineral, grazing, agricultural, or other purposes, provided that the term of agricultural and grazing leases shall not exceed 10 years; mineral leases including leases for exploration for oil and gas and the extraction thereof for a term not longer than ten years; and such land shall not be subject to preemption, homestead entry, or any other entry

¹ So in original.

under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only."

Sec. 2. Anything in the said Act approved July 10, 1890, incon- Inconsistent sions repealed. sistent with the provisions of this Act is hereby repealed.

provi-

Approved, February 15, 1934.

[CHAPTER 13.]

AN ACT

Making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil-Works program, and for other purposes.

February 15, 1934. [H.R. 7527.] [Public, No. 93.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide additional funds for carrying out the purposes of the Federal Appropriation of ad-Emergency Relief Act of 1933, approved May 12, 1933 (48 Stat. 55), ditional funds for main-and for continuing the Civil-Works program under the Federal Civil continuing the Civil-Works Administration as created under authority of title II of the Works program. provide additional funds for carrying out the purposes of the Federal Works Administration as created under authority of title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), there is hereby appropriated for these activities, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1935, the sum of \$950,000,000, which shall be available for expenditure for such projects and/or purposes and under such rules and regulations as the President in his discretion may prescribe: *Provided*, That nothing contained in the Federal Emergency Relief Act of 1933 shall be construed as precluding the Federal Emergency Relief Act of 1933 shall be construed as precluding the public agency within Federal Emergency Relief Administrator from making grants for states.

Provisos.

Direct grants to public agency within States. designate: Provided further, That the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (U.S.C., title 5, sec. employees. 785), as amended, are hereby extended, so far as they may be applicable, to employees of the Federal Civil Works Administration only for disability or death resulting from traumatic injury while in the performance of duty, subject, however, to the following contations:

(a) that the total aggregate compensation

Total aggregate and in any individual case shall not exceed the sum of \$3,500, and that thousand the sum of \$3,500. the monthly compensation shall not in any event exceed the rate of \$25, both exclusive of medical costs; (b) that the minimum limit on monthly compensation for disability, established by section 6, and the minimum limit on the monthly pay on which death compensation is to be computed, established by clause (K) of section 10, shall not apply; (c) that the United States Employees' Compensation Comschedule of compensation for death and/or for the loss or loss of death, etc.

Special schedule of compensation for death and/or for the loss or loss of death, etc. use of members or functions of the body, which compensation shall be in lieu of all other compensation in such cases; (d) that the rights previous acts to termiof any person employed by the Federal Civil Works Administration nate. to compensation or other benefits which may have accrued prior to and including the date of approval of this Act under the provisions of the Act of September 7, 1916, as amended (U.S.C., title 5, chap. 15), and/or the rules and regulations of the Federal Civil Works Administration shall terminate upon the date of the approval of this Act; and thereafter compensation and other benefits to any such Benefits subject to provisions hereof. person for death or disability arising before or after the date of the approval of this Act shall be paid in accordance with the provisions

hereof; (e) that the said Commission is hereby authorized in its

Federal Emergency Relief Act of 1933. Ante, pp. 55, 200.

Availability. Post, p. 1056.

Employees Compensation Act.

Vol. 39, pp. 743, 745.

U.S.C., p. 76.

claim for legal, etc services; penalty for violation.

ministrative

Annual appropriation authorized.

restrict-

Allocation

Maintenance of designated agencies, etc.

Purchases without advertising.
R.S., sec. 3709, p. 733;
U.S.C., p. 1309.

Public works emergency construction fund.

Extending date for obligations under, to September 1, 1934.
Vol. 47, p. 716, amended.

Payments through discretion to provide for the initial payments of compensation and the furnishing of immediate medical attention as herein provided through the local representatives of the Federal Civil Works Admin-Approval required of istration; (f) that no claim for legal services or for any other services are for legal, etc., istration; for rendered in respect of a claim or award for compensation, to or on account of any person, shall be valid unless approved by the Commission; and any person who receives any fee, other consideration, or any gratuity on account of services so rendered, unless such consideration or gratuity is approved by the Commission, or, who makes

it a business to solicit employment for a lawyer or for himself in respect of any claim or award for compensation, shall be guilty of a misdemeanor, and upon conviction thereof, shall, for each offense, be punished by a fine of not more than \$1,000 or by imprisonment

Provisos.
Traumatic injury dened.

Special fund for adinistrative expenses eated

Special fund for adinistrative expenses eated

Directors of the Rudget estimates and eartifies to the Secretary of the Directors of the Rudget estimates and certifies to the Secretary of the Directors of the Rudget estimates and certifies to the Secretary of the Rudget estimates and certifies to the Secretary of the Rudget estimates and certifies to the Secretary of

Director of the Budget, estimates and certifies to the Secretary of the Treasury will be necessary for administrative expenses and for the payment of such compensation shall be set aside in a special fund to be administered by the Commission for such purposes; and after June 30, 1935, such special fund shall be available for these purposes annually in such amounts as may be specified therefor in the annual appropriation acts: Provided further, That no part of the appropriation herein made shall be allotted for expenditure for any Civil

Completing projects Federal Government except for the completion of projects for the improvement of Federal lands or public property in progress and uncompleted on the date of the approval of this Act, and except such sums as may be necessary for maintenance and operation of ginated agencies, etc. reemployment agencies, and medical, surgical, and hospital services. without and for administration, supervision, inspection, disbursing, and accounting purposes, and printing and binding, in connection with State and/or local Civil Works projects: *Provided further*, That section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Federal Civil Works Administration when the aggregate amount

Works project under any other department or establishment of the

involved does not exceed the sum of \$300. SEC. 2. That paragraph (1) of subsection (a) of section 301 of title III of Public Law Numbered 302, Seventy-second Congress, approved July 21, 1932—the Emergency Relief and Construction Act of 1932—is amended by striking out the date "July 1, 1933" where it appears in said paragraph and inserting in lieu thereof the date "September 1, 1934."

Approved, February 15, 1934.

[CHAPTER 14.]

AN ACT

February 16, 1934. [S. 2465.] [Public, No. 94.]

To amend the Act of March 4, 1933, relating to the regulation of banking in the District of Columbia.

Banking regulations, District of Columbia, Vol. 47, p. 1566.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That subsection (a) of section 4 of the Act entitled "An Act to further regulate banking, banks, trust companies, and building and loan associations in the District of Columbia, and for other purposes", approved March 4, 1933, is hereby repealed.

Double liability on bank stock; provision repealed.

March 4, 1933, is hereby repealed.

SEC. 2. The additional liability imposed by subsection (b) of shareholders' his section 4 of such Act upon the shareholders of the savings banks, savings companies, and banking institutions specified in such subsection (b), shall not apply with respect to shares in any such savings bank, savings company, or banking institution issued after the date of enactment of this Act.

Approved, February 16, 1934.

Shareholders' liabil-

[CHAPTER 15.]

AN ACT

Granting certain property to the State of Michigan for institutional purposes.

February 19, 1934. [S. 2152.] [Public, No. 95.]

Provisos.
Date of acceptance.

Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is dian School. Conveyance of property known and designated as the "Mount Pleasant Indian Congress assembled, That there is dian School. Conveyance of property known and designated as the "Mount Pleasant Indian institutional purposes." School 7, located at Mount Pleasant, Michigan, such grant to include the land and buildings and such equipment as may be designated by the Secretary of the Interior: *Provided*, That this grant shall be effective at any time prior to July 1, 1934, if, before that date, the Governor of the State of Michigan on behalf of the State files an acceptance thereof with the Secretary of the Interior: Provided further, That right is reserved by the Secretary of the Interior to retain until July 1, 1934, dormitory and other space needed for the housing and care of Indian pupils now accommodated at said school: Provided further, That as a condition precedent to this grant Indians Provided further, That as a condition precedent to this grant Indians Admittance of Incresident within the State of Michigan will be accepted in State institutions. tutions on entire equality with persons of other races, and without cost to the Federal Government.

Approved, February 19, 1934.

[CHAPTER 16.]

AN ACT

To authorize an increase in the number of directors of the Washington Home for Foundlings.

February 20, 1934. [S. 1659.] [Public, No. 96.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act District of Columbia. Washington Home entitled "An Act for incorporating a hospital for foundlings in the city of Washington", approved April 22, 1870, as amended, is amended by striking out section 3 of said Act and by inserting in lieu thereof the following new section:

"SEC. 3. The management of said hospital shall be under the con-"Sec. 3. The management of said hospital shall be under the control of a board of directors. The number of directors shall be fixed conferred." in the bylaws of the corporation and may be increased or decreased from time to time as may be provided in said bylaws. The board of directors shall have power to appoint all officers and committees necessary to the proper administration of the affairs of the corporation."

Approved, February 20, 1934.

[CHAPTER 23.]

AN ACT

February 23, 1934. [S. 1975.] [Public, No. 97.1

To provide for loans to farmers for crop production and harvesting during the year 1934, and for other purposes.

Vol. 47, p. 795.

Feed for livestock. Liens required.

fallowing. Summer etc., security.

Interest rate. Collecting loans.

Post, p. 355.

Limit on individual loans.

Proviso.

Conditions of loan.

procure elsewhere

Applicant to cooperate under Agricultural Adjustment Act pro-Ante, p. 31.

Loans declared to be impressed with a trust for designated purposes.

Loans to farmers authorized for crop production during 1934.

Post, p. 402.

Be it enacted by the Senate and House of Representatives of the Surface in Congress assembled, That the Governor of the Farm Credit Administration, hereinafter in this Administration, hereinafter in this Administration. to as the "Governor", is hereby authorized to make loans to farmers during the year 1934 for crop production, planting, fallowing, and cultivation and, to the extent of not exceeding \$1,000,000, for feed for livestock in drought- and storm-stricken areas.

Sec. 2. (a) A first lien on all crops growing or to be planted or grown or harvested during the year 1934, or on livestock, shall be required as security for any such loan: Provided, however, That in the case of a loan for the purpose of summer fallowing or the production of winter wheat, a first lien, or an agreement to give a first lien, on crops to be harvested in 1935 may, in the discretion of the Loans made under Governor, be deemed sufficient security. Except as hereinafter prorules, etc., of Governor. vided, such loans shall be made through such agencies, upon such terms and conditions, and subject to such regulations as the Governor Recording, etc., fees shall prescribe. Recording and other fees in connection with such loans shall not exceed \$1 in any case, which shall be paid by the Farm Credit Administration. Loans made pursuant to the provisions of this Act shall bear interest at the rate of not to exceed $5\frac{1}{2}$ per centum per annum. For the purpose of collecting loans made under this Act and under prior Acts of the same general character, the Governor may use the facilities and services of the Farm Credit Administration or of any officer or officers thereof and may pay for such services and the use of such facilities from the funds made available under section 5 hereof for the payment of necessary administrative expenses; and such institutions are hereby expressly empowered to enter into agreements with the Governor for such purposes.

(b) The amount which may be loaned to any borrower pursuant to this Act shall not exceed \$250 unless, in the opinion of the Governor, the circumstances surrounding the loan are such as to warrant a larger amount, in which event the borrower shall be entitled to Distressed emergen a loan not in excess of \$400: Provided, however, That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations, under such regulations and for

such time as he may prescribe therefor.

(c) No loan shall be made under this Act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regu-Applicant unable to lations as the Governor may prescribe (1) that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this Act; and (2) that such applicant is cooperating directly in the crop production control program of the Agricultural Adjustment Administration or is not proposing to increase his 1934 production of basic agricultural commodities in a manner detrimental to the success of such program.

SEC. 3. (a) The moneys authorized to be loaned by the Governor under this Act are declared to be impressed with a trust to accomplish the purposes provided for by this Act, namely, the production, planting, fallowing, cultivation of crops, and feed for farm livestock, which trust shall continue until the moneys loaned pursuant to this

Act have been used for the purposes contemplated by this Act, and it shall be unlawful for any person to make any material false representation for the purpose of obtaining any loan or to assist in obtaining such loan or to dispose of or assist in disposing of any crops given as security for any loan made under authority of this Act, except for the account of the Governor, and for the purpose of carrying out the provisions of this Act.

(b) It shall be unlawful for any person to charge a fee for the purpose of preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this Act.

(c) Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding six months, or both.

SEC. 4. The Governor shall have power, without regard to the Appointment of personnel. provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this Act; but the classification act. vol. 42, p. 1488; vol. compensation of such officers and employees shall correspond, so far 45, p. 776; vol. 46, p. 1003. as may be practicable, to the rates established by the Classification

Act of 1923, as amended.

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$40,000,000, or so much thereof as may be necessary, to carry out the provisions of this Act. Any moneys so appropriated, and all Use for administrationallowed. collections of both principal and interest on loans made under this Act, may be used by the Governor for all necessary admirated and expenses in carrying out the provisions of this Act and in collecting out ing loans.

Collecting out the provisions seed and feed loans made vol. 47, p. 795. Act, may be used by the Governor for all necessary administrative outstanding balances on crop production, seed and feed loans made under the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes", approved February 4, 1933, or under prior legislation of the same general character.

Approved, February 23, 1934.

[CHAPTER 24.]

AN ACT

To extend the time for completing the construction of a bridge across the Delaware River near Trenton, New Jersey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of the bridge authorized by Act of bridging, at Trenton, Congress approved August 24, 1912, to be built by The Pennsylvania No. 37, p. 492; Vol. Railroad Company and the Pennsylvania and Newark Railroad 46, p. 1041, amended. Company across the Delaware River near the city of Trenton. Company across the Delaware River near the city of Trenton, New Jersey, which has heretofore been extended by Congress to August 24, 1934, is hereby extended for a further period of three years from the last named date: *Provided*, That it shall not be lawful to comthe last named date: Provided, That it shall not be lawful to complete or commence the completion of said bridge until plans thereof plans required. shall again be submitted to and approved by the Chief of Engineers

and by the Secretary of War.

Sec. 2. That the right to alter, amend, or repeal this Act is

hereby expressly reserved.

Approved, February 24, 1934.

Punishment for.

Sum authorized. Post, p. 402.

Collecting outstand-

February 24, 1934. [S. 2029.] [Public, No. 98.]

Amendment.

[CHAPTER 25.]

AN ACT

February 24, 1934. [S. 2337.] [Public, No. 99.]

To declare Noxubee River in Noxubee County, Mississippi, to be a nonnavigable

Noxubee River.
Portion of, in Noxubee County, Miss., declared nonnavigable.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that portion of the Noxubee River in Noxubee County, in the State of Mississippi be and the same is broken declared to be a proposition of the control of the same in the same is broken declared to be a proposition of the same in the same in the same is broken declared to be a proposition of the same in the same in the same is broken declared to be a proposition of the same in the same in the same in the same is broken declared to be a same in the same in the same in the same in the same is broken declared to be a same in the same i sippi be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States.

Amendment.

Sec. 2. That the right of Congress to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1934.

[CHAPTER 26.]

AN ACT

February 24, 1934. [S. 2372] [Public, No. 100.]

Granting the consent of Congress to the State of Oregon to maintain a bridge already constructed across Youngs Bay near the city of Astoria, Oregon.

Be it enacted by the Senate and House of Representatives of the

Youngs Bay. Oregon may bridge, of Congress is hereby granted to the State of Oregon, and its successors and assigns, to maintain and operate, in accordance with the cessors and assigns, to maintain and operate, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable water", approved March 23, 1906, a bridge and approaches thereto already constructed across Youngs Bay near the city of Astoria, Oregon, which bridge is hereby declared to be a lawful structure to the same extent and in the same manner as if it had been constructed in accordance with the pro-

Amendment.

Construction ized.

visions of said Act of March 23, 1906.
Sec. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1934.

[CHAPTER 27.]

AN ACT

February 24, 1934. [H.R. 6370.] [Public, No. 101.]

To extend the time for completing the construction of a bridge across the Missouri River at or near South Omaha, Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for Missouri River.
Time extended for bridging, at South completing the construction of a bridge across the Missouri River Omaha, Nebr.
Vol. 46, pp. 547, 1192. at or near South Omaha, Nebraska, authorized by section 4 of the Act of Congress approved June 10, 1930, heretofore extended by an Act of Congress approved February 20, 1931, is hereby further extended one year from June 10, 1934.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is reserved. Approved, February 24, 1934.

[CHAPTER 28.]

AN ACT

February 24, 1934. IH.R. 6794. [Public, No. 102.]

Authorizing the State of Pennsylvania and the State of New Jersey to construct, maintain, and operate a toll bridge across the Delaware River at a point between Easton, Pennsylvania, and Phillipsburg, New Jersey.

Delaware River.

Pennsylvania and New Jersey may bridge United States of America in Congress assembled, That in order to between Easton, Pa., and Phillipsburg, N.J. promote interstate commerce, improve the postal service, and provide and Phillipsburg, N.J. promote interstate commerces the State of Pennsylvania and the postal service and provide and pro Be it enacted by the Senate and House of Representatives of the for military and other purposes, the State of Pennsylvania and the State of New Jersey be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Delaware River, at a point suitable to the interests of navigation, at or near Easton, Pennsylvania, and Phillipsburg, New Jersey, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

SEC. 2. There is hereby conferred upon the State of Pennsylvania estate, etc., for loca- and the State of New Jersey all such rights and powers to enter upon tion, approaches, etc. lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such

Sec. 3. The said State of Pennsylvania and the State of New Jersey are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in

Condemnation pro-

the Act of March 23, 1906.

Tolls authorized. Vol. 34, p. 85.

SEC. 4. In fixing the rates of toll to be charged for the use of such SEC. 4. In fixing the rates of toll to be charged for the use of such Bates applied to opbridge the same shall be so adjusted as to provide a fund sufficient etc.

Rates applied to opbridge the same shall be so adjusted as to provide a fund sufficient etc. to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof.

After a sinking fund sufficient for such amortization shall have been free bridge, etc., after a sinking fund sufficient for such amortization and analysis. so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of Record of expenses the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Amendment.

Sec. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1934.

[CHAPTER 29.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Weldon Spring, Missouri.

February 24, 1934. [H.R. 6799.] [Public, No. 103.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the bridging, at Weldon Missouri River at or near Weldon Spring, Missouri, authorized to be built by the State Highway Commission of Missouri Land to Vol. 46 p. 1400

Amendment.

of Congress approved March 3, 1931, are hereby extended two and five years, respectively, from March 3, 1933.

SEC. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, February 24, 1934.

[CHAPTER 30.]

AN ACT

February 24, 1934. [H.R. 6909.] [Public, No. 104.]

To extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Saint Francisville, Missouri.

Des Moines River. Time extended for bridging, at Saint Fran-cisville, Mo. Vol. 47, p. 802, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for Fran- commencing and completing the construction of a bridge across the 802. Des Moines River at or near Saint Francisville, Missouri, authorized to be built by Roy H. Campbell, Charles H. Brown, G. H. Wilsey, and Doctor H. O. Strosnider, by an Act of Congress approved February 14, 1933, are hereby extended one and three years, respectively, from February 14, 1934.

Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1934.

[CHAPTER 31.]

AN ACT

February 24, 1934. [H.R. 7291.] [Public, No. 105.]

Authorizing the City of Hannibal, Missouri, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the City of Hannibal, Marion County, Missouri.

Mississippi River. Hannibal, Mo., may bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the City of Hannibal, Missouri, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Hannibal, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the condition and limitations contained in this Act.

Sec. 2. There is hereby conferred upon the City of Hannibal,

Construction. Vol. 34, p. 84.

Right to acquire real estate, etc., for location, approaches, etc.

Missouri, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation prospective sation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

ceedings

Tolls authorized.

Vol. 34, p. 85.

SEC. 3. The said City of Hannibal, Missouri, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the acquisition author-Secretary of War, either the State of Missouri, the State of Illinois, by etc. any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws erty for public purposes by condemnation or expropriation. If at quired by condemnation of such bridge the same is acquired by condemnation of such bridge the same is acquired by condemnation. such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per centum of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real

property; and (4) actual expenditures for necessary improvements. SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this Act, and if tolls erration, sinking fund, are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the recently. of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the date of acquiring the same. After a sinking fund sufficient for Maintenance as free such amortization shall have been so provided, such bridge shall tizing costs. thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the Record of expenditures and receipts. bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all per-

Sec. 6. The City of Hannibal, Missouri, its successors and assigns, Sworn statement of shall within ninety days after the completion of such bridge file with to be filed after comthe Secretary of War and with the highway departments of the pletion. States of Missouri and Illinois, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The SecreSecretary of War. tary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said City of Hannibal, Missouri, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof.

Limitation.

conclusive.

Findings of Secretary The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Right to sell, etc., conferred.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the City of Hannibal, Missouri, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Amendment.

Sec. 8. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1934.

[CHAPTER 32.]

AN ACT

February 26, 1934. [H.R. 6492] [Public, No. 106.]

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York.

Saint River.
River.
Time extended for bridging at Alexandria Bay, N.Y.
Vol. 45, p. 1552; Vol. 46, p. 1098; Vol. 47, pp. 83, 806, amended

Be it enacted by the Senate and House of Representatives of the Saint Lawrence United States of America in Congress assembled, That the times for the states of the saint Lawrence United States of America in Congress assembled, That the times for the saint Lawrence United States of America in Congress assembled, That the times for the saint Lawrence United States of America in Congress assembled, That the times for the saint Lawrence United States of the Saint Lawrence United States of America in Congress assembled, That the times for the saint Lawrence United States of America in Congress assembled, That the times for the saint Lawrence United States of America in Congress assembled. commencing and completing the construction of a bridge across the Saint Lawrence River at or near Alexandria Bay, New York, authorized to be built by the New York Development Association, Incorporated, a corporation organized under and by virtue of the membership corporation law of the State of New York, its successors and assigns, by an Act of Congress approved March 4, 1929, and heretofore extended by an Act of Congress approved February 13, 1931, and further heretofore extended by an Act of Congress approved April 15, 1932, and heretofore further extended by an Act of Congress approved February 14, 1933, are hereby further extended one and three years respectively from March 4, 1934.

Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 26, 1934.

[CHAPTER 33.]

AN ACT

February 26, 1934. [H.R. 7928.] [Public, No. 107.]

To amend subsection (b) of section 12 of the Act entitled "An Act to provide for the establishment of a corporation to aid in the refinancing of farm debts, and for other purposes", approved January 31, 1934.

Federal Farm Mort-gage Corporation Act, amended. Ante, p. 347.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 12 of the Act entitled "An Act to provide for the establishment of a corporation to aid in the refinancing of farm debts, and for other purposes", approved January 31, 1934, is amended to read as follows:

Mortgages and credit instruments.

"(b) Mortgages executed to the Land Bank Commissioner and mortgages held by the Corporation, and the credit instruments secured thereby, and bonds issued by the Corporation under the provisions of this Act, shall be deemed and held to be instrumentalities of the Government of the United States, and as such they and the income derived therefrom shall be exempt from Federal, State, municipal, and local taxation (except surtaxes, estate, inheritance, and gift taxes)."

Tax exemptions not to include surtaxes

Approved, February 26, 1934.

[CHAPTER 37.]

AN ACT

To repeal Federal liquor prohibition laws to the extent they are in force in Puerto Rico and the Virgin Islands, and for other purposes.

March 2, 1934. [H.R. 6574.] [Public, No. 108.]

United States of America in Congress assembled, That so much force in Puerto Rico of section 2 of the Act entitled "An Act to provide a civil government for Porto Rico, and for other purposes", approved March 2, Act of Puerto Rico 1917, as makes it unlawful to import, manufacture, sell or give vol. 39, p. 952 away, or to expose for sale or gift any intoxicating drink, is repealed. Be it enacted by the Senate and House of Representatives of the repealed.

SEC. 2. Title II of the National Prohibition Act, as amended and supplemented, and the Act entitled "An Act to provide revenue by the taxation of certain nonintoxicating liquors, and for other purposes", approved March 22, 1933, except such provisions of such title and of such Act of March 22, 1933, as are in force and effect in the States, are repealed to the extent such title and such Act of "Repeal of provisions in National Prohibition Act, etc., affecting Puerto Rico and Virgin Islands.

Vol. 41, p. 307; Vol. 42, p. 233.

Ante, p. 16.
U.S.C., p. 853. in the States, are repealed to the extent such title and such Act of March 22, 1933, are in force and effect in Puerto Rico and the

Virgin Islands of the United States.

SEC. 3. Section 13 of the Revised Statutes shall not apply with applicable, respect to any penalty, forfeiture, or liability incurred under any U.S.C., p. 2. provision repealed by this Act.

Sec. 4. (a) There is hereby established for Puerto Rico a board, Board for Puerto Rico to be known as the "Model Housing Board" (hereinafter referred established. to as the "Board"), to be composed of three members to be appointed by the Governor of Puerto Rico. The persons appointed etc. as members of the Board shall serve without compensation, and the etc. term of membership for each such member shall be five years. One

of the members shall be appointed as chairman of the Board. (b) It shall be the duty of the Board to design and construct Construction authorin Puerto Rico houses of several types, which houses shall be models of sanitation, health, convenience, and comfort; but not more than eight such houses shall be built in any senatorial district of Puerto Rico in any one year. For the purpose of such construction the

Board shall have power to acquire such plots of land in Puerto Rico as may be necessary.

(c) All houses designed and constructed by the Board under this Sale of houses; terms and conditions. section shall be sold by the Board at such prices, and under such terms and conditions, as it may determine; and all funds derived from the sale of such houses shall be covered into the island treasury to the account of the model housing fund established by this section.

(d) To carry out the provisions of this section, there shall be Revolving fund crepaid annually out of the revenues of Puerto Rico resulting from enues. taxes on intoxicating liquors the sum of \$30,000, which shall constitute a fund to be known as the "model housing fund." All money covered into such fund shall constitute a revolving fund for the administration of the provisions of this section, and all expenditures out of such fund shall be allowed and paid upon the presentation of itemized vouchers therefor signed by the chairman of the Board.

Acquisition of sites.

Credit of receipts.

Expenditures.

Sec. 5. This Act shall take effect on the expiration of ten days after the date of its enactment.

Approved, March 2, 1934.

[CHAPTER 38.]

AN ACT

March 2, 1934. [H.R. 6951.] [Public, No. 109.]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other purposes.

Be it enacted by the Senate and House of Representatives of the nited States of America in Congress assembled, That the following Interior Department appropriations, fiscal year 1935. United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1935, namely:

Secretary's office.

OFFICE OF THE SECRETARY

SALARIES

Secretary, Assistants, and office personnel.

Restriction not applicable to clerical-mechanical service.

Solicitor's office.

Office personnel

Division of Investiga-

Protecting timber and public lands.

Swamp lands.

Traveling expenses.

Vehicles.

Salaries: For the Secretary of the Interior, First Assistant Sec-Provisos.
Salaries restricted to average rates under Classification Acts. Vol. 42, p. 1488; Vol. 46, p. 1003.
U.S.C., p. 65; Supp. VII, p. 34.

Salaries restricted to average rates under Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of personal services. For the District of Columbia in this Act, for Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of personal services. Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: Provided, That heading to clerical this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the No reduction in fixed clerical-mechanical service, or (2) to require the reduction in salary salaries.

Vol. 42, p. 1490; in accordance with the rules of section 6 of such Act, (3) to require Transfer without reduction.

Transfer without reduction.

the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4)

Payments, under to prevent the payment of a salary under any grade at a rate higher rates permitted. higher than the maximum rate of the grade when such higher rates higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is If only one position specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

OFFICE OF SOLICITOR

For personal services in the District of Columbia and in the field, \$256,140.

DIVISION OF INVESTIGATIONS

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamp lands and indemnity for swamp lands; and for traveling expenses of agents and others employed hereunder, \$362,560, including not exceeding \$20,000 for personal services in the District of Columbia, and not exceeding \$33,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motor boats for the use of agents and others employed in the field service.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For contingent expenses of the office of the Secretary and the bureaus and offices of the department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use of messengers not exceeding \$150; expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the department; not exceeding \$500 shall be available for the payment of damages caused to private property by department motor vehicles; purchase and exchange of motor trucks, motorcycles, and bicycles, maintenance, repair, and operation of two motorpropelled passenger-carrying vehicles and motor trucks, motorcycles, and bicycles to be used only for official purposes; rent of department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the department, its bureaus and offices; expense of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for newspapers; stationery, including tags, labels, index cards, clothlined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, \$82,400; and, in addition thereto, sums Additional, from amounting to \$31,500 for stationery supplies shall be deducted from specified appropriaother appropriations made for the fiscal year 1935, as follows: General Land Office, \$3,500; Geological Survey, \$4,500; Freedmen's Hospital, \$1,000; Saint Elizabeths Hospital, \$2,500; Office of National Parks, Buildings, and Reservations, \$10,000; Bureau of Reclamation, \$10,000, any unexpended portion of which shall revert and be credited to the reclamation fund; and said sums so deducted shall be credited to and constitute, together with the first-named sum of \$82,400, the total appropriation for contingent expenses for the department and its several bureaus and offices for the fiscal year 1935.

For the purchase or exchange of professional and scientific books, books, periodicals, etc., law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, \$500, and in addition there is hereby made available from any appropriations made for any bureau or office of the department not to exceed the following respective sums: Indian Service, \$500; Office of Education, \$1,800; Bureau of Reclamation, \$2,000; Geological Survey, \$2,000; Office of National Parks, Buildings, and Reservations, \$2,000; General Land Office, \$500.

PRINTING AND BINDING

For printing and binding for the Department of the Interior, in- bureaus, etc. cluding all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, and the Bureau of Reclamation, \$123,000, of

Department contingent expenses.

Property damages. Vehicles.

Disbarment expenses.

Stationery, etc.

Allotments.

Printing and binding.

which \$30,000 shall be for the Office of National Parks, Buildings, and Reservations, and \$40,000 for the Office of Education, no part of which shall be available for correspondence instruction.

Commission of Fine

COMMISSION OF FINE ARTS

Expenses. Vol. 36, p 371; U.S.C., p. 1295. For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (U.S.C., title 40, sec. 104), including the purchase of periodicals, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$8,780, of which amount not to exceed \$5,580 may be expended for personal services in the District of Columbia.

Printing and binding.

For all printing and binding for the Commission of Fine Arts, \$300.

\$300.

Total, Commission of Fine Arts, \$9,080.

Mount Rushmore National Memorial Commission

MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Expenses, etc.
Balance reappropriated.
Vol. 45, p. 1300;
Ante, p. 294.

Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Act creating the Mount Rushmore National Memorial Commission, approved February 25, 1929 (45 Stat., p. 1300), the unexpended balance of the appropriation for this purpose for the fiscal year 1934 is continued available until June 30, 1935, to be expended under the provisions of the Act of February 25, 1929 (45 Stat., p. 1300).

George Rogers Clark Sesquicentennial Commission.

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

Participation in memorial celebration. Vol. 45, p. 724.

For carrying into effect the provisions of the joint resolution entitled "Joint resolution providing for the participation of the United States in the celebration in 1929 and 1930 of the one hundred and fiftieth anniversary of the conquest of the Northwest Territory by General George Rogers Clark and his army, and authorizing an appropriation for the construction of a permanent memorial of the Revolutionary War in the West, and of the accession of the old Northwest to the United States on the site of Fort Sackville, which was captured by George Rogers Clark and his men February 25, 1779", approved May 23, 1928 (45 Stat., pp. 723, 724), as amended by the Act of February 28, 1931 (46 Stat., pp. 1459–1460), the unexpended balances of the appropriations available for this purpose for the fiscal years 1933 and 1934 are hereby continued available until June 30, 1935.

Balance available. Ante, p. 292.

Vol 46, p. 1459.

GENERAL LAND OFFICE

SALARIES

Salaries and expenses Commissioner, and office personnel.

General Land Office.

For Commissioner of the General Land Office and other personal services in the District of Columbia, \$542,200, including one clerk of grade 1, clerical, administrative, and fiscal service, who shall be designated by the President, to sign land patents.

GENERAL EXPENSES

For traveling expenses of officers and employees, including employ- maps, etc ment of stenographers and other assistants when necessary; for separate maps of public-land States and Alaska, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead Acts, prepared by the General Land Office; for the reproduction by photolithography or otherwise official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, \$16,000.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissions.

General Land Office and direction of the Secretary of the Interior,
\$34,000, and in addition thereto the unexpended balance for this ated.

Yol. 47, p. 822 purpose for the fiscal year 1935, including not to exceed \$5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: Provided, That not to exceed \$5,000 of this appropriation may be expended for salaries of employees. employees of the field surveying service temporarily detailed to the General Land Office: Provided further, That not to exceed \$10,000 of this appropriation may be used for the survey, classification, and BayWagon Road lands, sale of the lands and timber of the result of the lands and timber of the lands and timber of the result of the lands and timber of the lands and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: Provided Surveys in States adfurther, That no part of this appropriation shall be available for vancing money theresurveys or resurveys of public lands in any State which, under the for vancing money theresurveys or resurveys of public lands in any State which, under the Vol. 28, p 394; Act of August 18, 1894 (U.S.C., title 43, sec. 863), advances money U.S.C., p. 1388. to the United States for such purposes for expenditure during the fiscal year 1935: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office but when some and the Commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the General Land Office but when some and the commissioner of the commissioner sioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

For United States maps, prepared in the General Land Office, \$15,000, to be immediately available, all of which maps shall be delivered to the Senate and House of Representatives, except 10 per centum, which shall be delivered to the Commissioner of the General Land Office for official purposes. All maps delivered to the Senate and House of Representatives hereunder shall be mounted with rollers ready for use.

Registers: For salaries and commissions of registers of district

land offices, \$67,500.

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and for traveling expenses of clerks transferred in the interest of the public service from one

General expenses.

Traveling expenses.

Restoring lands, etc.

Hearings, etc.

Surveying.

Balance reappropri-

Provisos. Temporarily detailed

Maps, distribution.

Registers.

Contingent expenses.

Proviso Previous authorization of expense required. district land office to another, \$147,300: Provided, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Indian Affairs Bu-

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner, office personnel. and

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, \$340,075.

General expenses.

GENERAL EXPENSES

Transportation, etc.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for telegraph and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, \$18,500.

Supplies; purch transportation, etc. purchase.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe line, and other transportation costs of such goods and supplies, \$643,900: Provided, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is

Proviso. Limitation on pay-

performed.

For salaries, traveling and incidental expenses of field representa-

Field representatives.

tives of the Commissioner of Indian Affairs, \$12,080.

For pay of judges of Indian courts where tribal relations now exist, at rates to be fixed by the Commissioner of Indian Affairs, \$13,500.

Judges.

Police.

For pay and expenses of Indian police, including chiefs of police at not to exceed \$70 per month each and privates at not to exceed \$50 per month each, to be employed in maintaining order, and for purchase of equipment and supplies, \$105,650.

Suppressing liquor

For the suppression of the traffic in intoxicating liquors and

traffic, etc.

deleterious drugs, including peyote, among Indians, \$47,200.

For lease, purchase, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in con-

Agency buildings. Lease, purchase, repair, etc.

nection therewith, \$144,110.

Vehicles. Maintenance, etc.

Vehicles, Indian Service: Not to exceed \$275,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motorpropelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils: Provided, That not to exceed \$150,000

Proviso.
Limitation; transporting pupils.

may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Emergency allow-ance, by diversion from specified appropria-tions, for property damages.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding \$50,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval

of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: Provided, That any diversions of appropriations made hereunder shall be reported to

Congress in the annual Budget.

Authorization for attending health and educational meetings: Not to exceed \$7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

Proviso. Report to Congress.

Attendance at meet-

INDIAN LANDS

Purchase of land and water rights, and so forth, Pueblo Indians, N New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for ated. industrial advancement and fencing, irrigating, and improving lands, are hereby continued available for the same purposes until June 30, 1935.

chase, or lease pending purchase, of additional land and water rights water rights.

Navajo Indians. Additional land and water rights water rights. to be acquired by the Act of May 29, 1928 (45 Stat., p. 899), \$50,000, payable from funds on deposit to the credit of the Navajo Tribe: Provided, That title to all such lands so purchased shall be taken in the name of the United States in trust for the Navajo Tribe, and in purchasing such lands title may be taken, in the discretion of the Secretary of the Interior, for the surface only.

The unexpended balance of the appropriation of \$109,746.25 conlined in the First Deficiency Act, fiscal year 1930, for payment to

Loyal Shawnee Inlined in the First Deficiency Act, fiscal year 1930, for payment to tained in the First Deficiency Act, fiscal year 1930, for payment to Balance reappropri-the loyal Shawnee Indians in settlement of their claim arising under to the twelfth article of the treaty with said Indians proclaimed Octo-ber 14, 1868 (15 Stat., p. 513), as authorized by and in accordance with the Act of March 4, 1929, and continued available until June to 100 1004 in the settlement of the appropriation of the payment to dians, Okla. Balance reappropriate the settlement of their claim arising under vol. 45, p. 1550; Vol. 47, pp. 826, 96. 30, 1934, is hereby continued available until June 30, 1935.

Payment to Kiowa, Comanche, and Apache Indians, Oklahoma (tribal funds): For payment to the Kiowa, Comanche, and Apache royalty funds. Indians, of Oklahoma, under such rules and regulations as the Sec-Indians, of Oklahoma, under such rules and regulations as the Secretary of the Interior may prescribe, \$50,000 payable from funds on deposit to the credit of said Indians.

Indian lands.

Pueblo Indians, Land and water rights. Sums reappropri-

Vol. 47, p. 825.

Proviso.
Title for surface only

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, including not to exceed \$5,000 for the education of Indian pupils in forestry schools, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law on Indian lands, \$183,510: Provise.

Administration of administration of Indian forest lands from which timber is sold

Provise.

Administration of forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Industrial assistance

Timber preservation, etc. Forestry schools.

Timber sales, etc.; reimbursable.

Vol. 41, p. 415; U.S.C, p. 720 Proviso. Rewards for informa-

Emergency, fire suppression. forest-

Report to Congress.

Geological Survey. Supervising mining operations.

Vol. 26, p. 795; Vol. 35, pp. 312, 444, 783. U S.C., p. 717.

Employment for In-

Developing agricul-ture and stock raising.

Encouraging industry, etc.

Provisos. Repayment.

Pima Indians, Ariz.

Advances to old, etc., allottees.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, \$92,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U.S.C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires in contravention of law.

Klamath Reservation, Oregon (tribal forest insect control. For continuation of forest insect control work on the Klamath Indian Reservation in Oregon, \$10,000, payable from funds on deposit in the Treasury to the credit of the Klamath Indians. For the suppression or emergency prevention of forest fires on or threatening Indian reservations, \$20,000, together with \$25,000 from

funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed \$50,000 of available. Limitation. administration purposes may be transferred, upon the approval of the Secretary of the Interior, for fire suppression or emergency pre-vention purposes, and allotments of funds so transferred shall be made by the Secretary of the Interior only after the obligation for the expenditure has been incurred: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget. For transfer to the Geological Survey for expenditures to be made

in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (26 Stat., p. 795), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U.S.C. title 25, sec. 396), and other authorizing the leasing of such lands for mining purposes, \$60,000.

For the purpose of obtaining remunerative employment for Indians, \$37,150.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, \$342,850, of which not to exceed \$15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians. For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other

crops, \$325,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: Provided, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1940, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: Provided further, That except for expenditures for the benefit of the Pima Indians, not to exceed \$25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regu-

lations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their lands until paid: Provided further, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be

reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Industrial assistance (tribal funds): For the construction of constructing homes, homes for individual members of the tribes; the purchase for sale purchase of seed, equipment, etc. to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to Advances to Indians. old, disabled, or indigent Indians for their support, and Indians having irrigable allotments to assist them in the development and cultivation thereof, the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1934, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1935: Provided, That the expenditures for the purposes above set forth shall be under ment. conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1940, except in the case of loans on irrigable lands for permanent improvement of lands said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support, which shall remain a charge and lien against their land Indian youths to enable them to take educational courses, including dents.

Repayment of advances may be made to worthy Repayment of advances to young students. courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: Provided further, That all moneys reimbursed during the ability.

Credits and availability. fiscal year 1935 shall be credited to the respective appropriations and be available for the purposes of this paragraph.

DEVELOPMENT OF WATER SUPPLY

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, \$52,810.

IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Miscellaneous projects, \$10,000; Arizona: Ak Chin, \$3,800; Chiu Chui, \$3,800; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, \$4,500; California: Coachella Valley, \$1,000; Morongo,

Educating Indian youths.

Reimbursable.

Balances available. Vol. 47, pp. 827, 335.

Provisos. Conditions for repay-

Loans on irrigable

Water supply.

Developing, conserv-

Irrigation and drain-

Construction, main-tenance, etc.

Allotments.

Administration penses.

Reimbursable. ahle

Limitation

Apportioning costs on a per acre basis.

Unpaid charges a first lieu.

San Carlos project, Ariz. Operation, etc

Colorado River Resvation, Ariz. Improvement, etc. Vol. 36, p. 273.

Ganado project, Ariz., operation.

San Carlos Reserva-

Proviso. Reimbursable.

Yuma Reservation, Calif.-Ariz. Reclamation, etc.,

Fort Hall project, Idaho, maintenance.

Fort Belknap Reservation, Mont. Maintenance, etc.

Fort Peck project, Mont., maintenance.

Flathead Reserva-tion, Mont. Maintenance, etc. Crow Reservation, Mont. Operating systems. \$3,500; Pala and Rincon, \$2,000; Colorado: Southern Ute, \$9,300; Nevada: Walker River, \$6,300; Western Shoshone, \$5,000; New Mexico: Zuni, \$4,800; Washington: Colville, \$4,000;

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, \$72,000;

In all, for irrigation on Indian reservations, not to exceed \$130,000, Provisos. Sums interchange reimbursable: Provided, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

For operation and maintenance of the San Carlos project for the irrigation of Indian lands in the Gila River Indian Reservation, Arizona, \$82,300, reimbursable.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), \$10,200, reimbursable.

For operation and maintenance of the Ganado irrigation project, Arizona, \$1,800, reimbursable.

Operation and maintenance, pumping plants, San Carlos Reservation, Ariz.

Operation and maintenance, pumping plants, San Carlos ReservaIrrigating tribal tion, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, \$4,370, to be paid from the funds held by the United States in trust for the Indians of such reservation: Provided, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

For reclamation and maintenance charges on Indian lands within etc., the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, \$11,700, reimbursable.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, \$22,500.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, \$13,500, reimbursable.

For maintenance and operation of the Little Porcupine Division, the Big Porcupine Division, and not exceeding four thousand acres under the West Side Canal of the Poplar River Division, Fort Peck project, Montana, \$6,500, reimbursable.

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Montana, \$11,000, reimbursable.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians irrigable thereunder. \$18,450, reimbursable.

For operation and maintenance of the irrigation system on the ervation, Nev. Operation, etc.

Pyramid Lake Reservation, Nevada, \$2,750, reimbursable.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nev. Nev. Nevada, \$5,381; and for payment in advance, as provided by district against Paiute lands. law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, \$7,519, to be immediately available; in all,

For operation and maintenance of the irrigation system for the Indians, N.Mex.

Laguna and Acoma Indians in New Mexico, \$2,325, reimbursable.

Maintenance, etc.

New Mexico pueblos, flood damages. that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, \$8,400, reimbursable.

For salaries and all other expenses of the Government engineer Conservancy District, and assistants appointed in pursuance to contract executed December N.Mex., expenses.

14, 1928, by the Secretary of the Interior with the Middle Rio Grande
Conservancy District, \$7,230.

Irrigation systems, Klamath Reservation, Oregon (tribal funds): Klamath Reservation, Oregon improvements, maintenance, and operation of miscellaneous Maintenance, etc., of irrigation projects on the Klamath Reservation, \$2,350, to be paid projects. from the funds held by the United States in trust for the Klamath Indians in the State of Oregon, said sum, or such part thereof as repayment may be used, to be reimbursed to the tribe under such rules and

regulations as the Secretary of the Interior may prescribe.

For continuing operation and maintenance and betterment of the Ulian irrigation system to irrigate allotted lands of the Uncompandere, Wish Ma Uintah, and White River Utes in Utah, authorized under the Act

of June 21, 1906 (34 Stat., p. 375), \$23,000, reimbursable.

For operation and maintenance, including repairs, of the Top- Wash. penish-Simcoe irrigation unit. on the Yakima Reservation, Wash. Toppenish - Simcoe unit.

ington, \$800. reimbursable.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to the lands in Yakima Indian Reservation, Wash-

ington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), \$9,000.

For the extension of canals and laterals on the ceded portion of wind the Wind River Reservation, Wyoming, to provide for the irrigation sions. of additional Indian lands, and for the Indians' pro rata share of the cost of the operation and maintenance of canals and laterals and for the Indians' pro rata share of the cost of the Big Bend drainage project on the ceded portion of that reservation, and for continuing the work of constructing an irrigation system within the diminished reservation, including the Big Wind River and Dry Creek Canals, and including the maintenance and operation of completed canals, \$23,500, reimbursable.

EDUCATION

For the support of Indian schools not otherwise provided for, and other educational and industrial purposes in connection therewith, including tuition for Indian pupils attending public schools, \$3.831,450: Provided, That not to exceed \$15,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: Provided further, That \$4,500 of this appropriation may be used for the education and civilization of the Alabama and Coushatta Indians in Texas: Provided further, That not more than \$15,000 of the amount herein appropriated may be expended for the tuition of

Newlands project,

From tribal funds;

Uintah Reservation. Maintenance, etc. Vol. 34, p. 375.

Water payments.

Vol. 38, p. 604.

Wind River Reser-ation, Wyo., even-

Reimbursable

Education.

Support of schools.

Provisos Deaf, dumb, or blind.

Alabamas and Cou-shattas, Tex

Tuition of Indian pupils in public schools.

Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Inte-No formal contracts. rior may prescribe, but formal contracts shall not be required, for R.S., sec. 3744, p. 738; compliance with section 3744 of the Revised Statutes (U.S.C., title U.S.C., p. 1310.

41. sec. 16), for payment of tuition of Indian and the Secretary of the International Statutes. 41, sec. 16), for payment of tuition of Indian pupils attending public schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Support of Indian schools from tribal funds: For the support of

Support of schools, from tribal funds: For the support of U.S.C., Supp. VII, p. 493.

Support of Indian schools from tribal funds: For the support of Indian schools from tribal funds: For the support of Indian schools from tribal funds: For the support of Indian schools from tribal funds: For the support of Indian schools from tribal funds for schools from Indian tribal funds and from school from Indian tribal funds. revenues arising under the Act of May 17, 1926 (U.S.C., Supp. VI, title 25, sec. 155a), not more than \$509,550, including not to exceed school. Five Civilized Tribes. other educational purposes in the Choctaw Nation, \$40,000; for payment of tuition for Chippewa Indian children enrolled in the public schools of the State of Minnesota, \$48000, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14,

1889 (25 Stat., p. 645); in all, \$597,550.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, \$2,000, payable from funds held in trust by the United States for the Osage Tribe.

Saint Louis Boarding School, Okla. Osage pupils in.

Vol. 25, p. 645.

For subsistence of pupils retained in Government boarding schools

Summer schools, sub-

of all classes during summer months, \$45,000.

School transporta-

For collection and transportation of pupils to and from Indian and public schools, and for placing school pupils, with the consent of their parents, under the care and control of white families qualified to give them moral, industrial, and educational training, \$60,000.

School buildings. Lease, improvement,

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, \$272,000.

ignated.

Nonreservation boarding schools. For support and education of Indian pupils at the following Support, etc., of, des-nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For five hundred pupils, including not to exceed \$1,500 for printing and issuing school paper, \$153,610; for pay of superintendent, drayage, and general repairs and improvements, \$23,540; in all, \$177,150;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed \$1,000 for printing and issuing school paper, \$199,870; for pay of superintendent, drayage, and

Haskell Institute, Lawrence, Kans.

general repairs and improvements, \$18,540; in all, \$218,410; Haskell Institute, Lawrence, Kansas: For six hundred pupils, including not to exceed \$2,500 for printing and issuing school paper, \$184,145; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, \$22,540; in all, \$206,685;

Pipestone, Minn.

Pipestone, Minnesota: For two hundred and fifty pupils, \$73,680; for pay of superintendent, drayage, and general repairs and improve-

Carson City, Nev.

ments, \$14,690; in all, \$88,370; Carson City, Nevada: For five hundred and twenty-five pupils, \$145,995; for pay of superintendent, drayage, and general repairs and improvements, \$14,630; in all, \$160,625;

Albuquerque, New Mexico: For six hundred and fifty pupils, \$202,935; for pay of superintendent, drayage, and general repairs and improvements, \$22,520; in all, \$225,455;

Albuquerque, N.

Santa Fe, New Mexico: For four hundred and fifty pupils, \$147,610; for pay of superintendent, drayage, and general repairs

and improvements, \$14,540; in all, \$162,150; Charles H. Burke School, Fort Wingate, New Mexico: For five School, Fort Wingate, hundred and twenty-five pupils, \$164,060; for pay of superintendent, N.Mex. drayage, and general repairs and improvements, \$19,620; in all, \$183,680;

Bismarck, North Dakota: For one hundred pupils, \$32,755; for pay of superintendent, drayage, and general repairs and improve-

ments, \$6,700; in all, \$39,455; Wahpeton, North Dakota: For three hundred pupils, \$88,590; for pay of superintendent, drayage, and general repairs and improvements, \$10,700; in all, \$99,290;

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed \$2,000 for printing and issuing school paper, \$201,000; for pay of superintendent, drayage, and general repairs and improve-

ments, \$21,580; in all, \$222,580;
Sequoyah Orphan Training School, near Tahlequah, Oklahoma: Sequoyah Orphan Training School, Okla.
For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, \$104,070; for pay of superintendent, drayage, and general repairs and improvements, \$11,700; in all, \$115,770: Provided, That of the balance remaining to the credit of the Cherokee Nation, not to exceed \$154.20 is authorized to be expended in the purchase of addi-

tional land for the Sequoyah Orphan Training School;
Carter Seminary, Oklahoma: For one hundred and sixty-five okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five okla.

Carter Seminary, pupils, \$52,485; for pay of superintendent, drayage, and general repairs and improvements, \$5,740; in all, \$58,225;

Euchee, Oklahoma: For one hundred and fifteen pupils, \$36,060; for pay of superintendent, drayage, and general repairs and improvements, \$5,750; in all, \$41,810;

Eufaula, Oklahoma: For one hundred and thirty-five pupils, \$42,500; for pay of superintendent, drayage, and general repairs and improvements, \$5,740; in all, \$48,240;

Jones Academy, Oklahoma: For one hundred and seventy-five Oklahoma. Academy, pupils, \$55,595 for pay of superintendent, drayage, and general repairs and improvements, \$5,730; in all, \$61,325;

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, Oklahoma: Academy, Oklahoma \$40,730; for pay of superintendent, drayage, and general repairs and improvements, \$5,750; in all, \$46,480;

Chemawa, Salem, Oregon: For three hundred pupils, including not Oreg. Chemawa, Salem, to exceed \$1,000 for printing and issuing school paper, \$97,120; for pay of superintendent, drayage, and general repairs and improvements, \$14,620; in all, \$111,740;

Flandreau, South Dakota: For four hundred and fifty pupils, \$145,275; for pay of superintendent, drayage, and general repairs and improvements, \$14,540; in all, \$159,815;

Pierre, South Dakota: For two hundred and twenty-five pupils,

\$67,450; for pay of superintendents, drayage, and general repairs and improvements, \$11,540; in all, \$78,990;

Tomah, Wisconsin: For two hundred pupils, \$60,230; for pay of superintendent, drayage, and general repairs and improvements, \$13,680; in all, \$73,910;

In all, for above-named nonreservation boarding schools, not to to to boarding schools. exceed \$2,513,680: Provided, That 10 per centum of the foregoing Provice. Sums interchangeamounts shall be available interchangeably for expenditures for sim- able. ilar purposes in the various boarding schools named, but not more

Santa Fe, N.Mex.

Bismarck, N. Dak.

Wahpeton, N. Dak.

Chilocco, Okla.

Proviso.
Additional land.

Euchee, Okla.

Eufaula, Okla,

Flandreau, S.Dak.

Pierre, S Dak.

Tomah, Wis.

Report to Congress.

Five Civilized Tribes, Orla. Common schools.

Truancy officers.

Sioux Indians, S.Dak. Day and industrial schools.

Vol. 19, p. 256.

Alaska natives,

penses.

Provisos. Interchangeable

than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, \$394,000, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: Provided, That this appropriation shall not be subject to the immediation in section 1 of the Act of May 25, 1918 (U.S.C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one fourth Indian blood: Provided further, That of this appropriation not to exceed \$2,500 may be expended in the printing and issuance of a paper devoted to Indian education, which paper shall be united at an Indian school: not to exceed \$10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are five hundred or more Indian children eligible to attend school, and not to exceed \$10,000 may be expended in the discretion of the Secretary of the Interior for the payment of sal-Employing public aries of public-school teachers, employed by the State or county, in school teachers where special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28,

1877 (19 Stat., p. 254), \$301,835.
Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from industrial boarding schools in Alaska; erection, purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, including \$285,600 for salaries in the District of Columbia and elsewhere, \$17,500 for traveling expenses, Miscellaneous expenses, \$180,500 for equipment, supplies, fuel, and light, \$23,000 for repairs penses. of buildings, \$63,000 for freight and operation and repair of vessels, \$1,000 for rentals, and \$2,000 for telephone and telegraph; total, \$572,600, to be immediately available: Provided, That not to exceed 10 per centum of the amounts appropriated for the various items in this paragraph shall be available interchangeably for expenditures on the objects included in this paragraph, but not more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency and then only upon the written order of the Secretary of the Interior: Provided further, That of said sum not exceeding \$5,800 may be expended for personal services in the District of Columbia.

Conservation of health.

CONSERVATION OF HEALTH

Expenses designated.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; trans-

portation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding \$1,000 for printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, \$2,981,040, and in addition thereto not to exceed \$75,000 of the unexpended balance for this purpose for the fiscal year 1934 is continued available for the same purpose for the fiscal year 1935, Allotments to specified hospitals, etc. including not to exceed the sum of \$2,329,800 for the following-

named hospitals and sanatoria:

Arizona: Indian Oasis Hospital, \$21,610; Kayenta Sanatorium, \$42,360; Fort Defiance Sanatorium and Southern Navajo General Hospital, \$98,870; Phoenix Sanatorium, \$70,070; Pima Hospital, \$25,510; Truxton Canyon Hospital, \$11,045; Western Navajo Hospital, \$34,650; Chin Lee Hospital, \$11,520; Fort Apache Hospital, \$25,410; Havasupai Hospital, \$4,710; Hopi Hospital, \$37,750; Leupp Hospital, \$24,550; San Carlos Hospital, \$17,900; Tohatchi Hospital, \$12,540; Colorado River Hospital, \$21,875; San Xavier Sanatorium. \$35,440; Phoenix Hospital, \$29,780; Winslow Sanatorium, \$36,950; California: Hoopa Valley Hospital, \$23,250; Soboba Hospital,

\$18,885; Fort Bidwell Hospital, \$18,870; Fort Yuma Hospital,

Colorado: Ute Mountain Hospital, \$14,230; Edward T. Taylor

Hospital, \$23,730;

Idaho: Fort Lapwai Sanatorium, \$78,850; Fort Hall Hospitals,

\$15,350;

Iowa: Sac and Fox Sanatorium, \$68,300; Minnesota: Pipestone Hospital, \$20,910; Mississippi: Choctaw Hospital, \$25,565;

Montana: Blackfeet Hospital, \$23,520; Fort Peck Hospital, \$20,990; Crow Agency Hospital, \$22,850; Fort Belknap Hospital, \$28,530; Tongue River Hospital, \$28,550;

Nebraska: Winnebago Hospital, \$36,780; Nevada: Carson Hospital, \$21,570; Walker River Hospital, \$19,525; Western Shoshone Hospital, \$11,300; New Mexico: Albuquer Sanatorium, \$95,050; Jicarilla Hospital and Sanatorium, \$55,750; Mescalero Hospital, \$18,720; Eastern Navajo Hospital, \$15,870; Northern Navajo Hospital, \$27,285; Taos Hospital, \$13,990; Zuni Sanatorium, \$51,330; Albuquerque Hospital, \$47,260; Charles H. Burke Hospital, \$7,440; Santa Fe Hospital, \$37,840; Toadlena Hospital, \$10,845;
North Carolina: Cherokee Hospital, \$9,405;

North Dakota: Turtle Mountain Hospital, \$35,380; Fort Berthold Hospital, \$17,230; Fort Totten Hospital, \$21,670; Standing Rock

Hospital, \$26,340;

Oklahoma: Cheyenne and Arapahoe Hospital, \$33,940; Choctaw and Chickasaw Sanatorium, \$51,310; Shawnee Sanatorium, \$85,260; Claremore Hospital, \$31,870; Clinton Hospital, \$18,970; Pawnee and Ponca Hospital, \$27,900; Kiowa Hospital, \$77,250;

South Dakota: Crow Creek Hospital, \$20,260; Pine Ridge Hos-

pitals, \$40,660; Rosebud Hospital, \$26,450;

Utah: Uintah Hospital, \$13,955;

Washington: Yakima Sanatorium, \$37,960; Tacoma Sanatorium, \$188,810; Tulalip Hospital, \$9,410;

Wisconsin: Hayward Hospital, \$28,265; Tomah Hospital, \$25,490; Wyoming: Shoshone, \$23,380;

Provided, That 10 per centum of the foregoing amounts shall be provided available interchangeably for expenditures in the various hospitals penditures. named, but not more than 10 per centum shall be added to the

Suppressing tracho-ma, etc.

Sum from balance, reappropriated. Vol. 47, p. 836

Arizona

California.

Colorado.

Idaho.

Iowa. Minnesota Mississippi.

Montana.

Nebraska. Nevada

New Mexico

North Carolina. North Dakota.

Oklahoma

South Dakota.

Utah. Washington.

> Wisconsin. Wyoming.

amount appropriated for any one of said hospitals or for any par-

Report to Congress.

ticular item within any hospital, and any interchange of appropriations hereinder shall be reported to Congress in the Annual Budget:

Provided further, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the board of the schools and the state of the schools and the state of the schools and the schools are such schools and the school are such schools and the school are such schools are such schools and the school are such schools are such schools. hospitalization of pupils in hospitals located at such schools and

supported from this appropriation;

Clinical survey disease conditions *Proviso*.
Local cooperation.

For a clinical survey of tuberculosis, trachoma, and venereal and other disease conditions among Indians, \$20,000: Provided, That in conducting such survey the cooperation of such State and other organizations engaged in similar work shall be enlisted wherever practicable and where services of physicians, nurses, or other persons are donated their travel and other expenses may be paid from this appropriation.

Chippewas in Minne-

Support of hospitals, Chippewas in Minnesota (tribal funds): Hospitals for, from tribal funds.

Vol. 25, p. 645.

Support of hospitals, Chippewas in Estimates (Chippewa Indians in the State of Minnesota, \$121,490, payable from the principal sum on deposit to the credit of said Indians arising under sections.

tion 7 of the Act of January 14, 1889 (25 Stat., p. 645).

Health work.

There shall be available for health work among the several tribes of Indians not exceeding \$125,000 of the tribal trust funds authorized elsewhere in this Act for support of Indians and administration

Medical relief in Alaska.

of Indian property.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion, and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; erection, purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, \$263,555, to be available immediately.

General support and administration

GENERAL SUPPORT AND ADMINISTRATION

Sundry agencies and reservations.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or

Fulfilling treaties, etc.

permanent treaty provisions, \$1,624,040.

Fulfilling treaties with Indians: For the purpose of discharging obligations of the United States under treaties and agreements with various tribes and bands of Indians as follows:

Northern Cheyennes and Arapahoes, Mont. Northern Cheyennes and Arapahoes, Mont. Vol. 19, p. 256. Pawnees, Okla. Vol. 11, p. 731; Vol. 27, p. 644.

Northern Cheyennes and Arapahoes, Montana (article 7, treaty

p. 254

Total.

of May 10, 1868, and agreement of February 28, 1877), \$67,400; Pawnees, Okla. Vol. 11, p. 731; Vol. 1867, and article 3, agreement of November 23, 1892), \$49,175; Sioux. Oklahoma (articles 3 and 4, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), \$49,175; Sioux of different tribes, including Santee Sioux of Nebraska, Vol. 15, p. 635; Vol. 19, North Dakota, and South Dakota (articles 8 and 13, treaty of April 29, 1868, 15 Stat., p. 635, and Act of February 28, 1877, 19

General support, etc., at specified agencies, from tribal funds.

Stat., p. 254), \$401,200.

In all, for said treaty stipulations, not to exceed \$517,775.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona: Colorado River, \$3,000; Fort Apache, \$18,355; San Carlos, \$41,505; Truxton Canyon, \$8,690; in all, \$71,550;

California: Mission, \$5,000;

Arizona.

California.

Colorado: Consolidated Ute (Southern Ute, \$15,000; Ute Mountain, \$15,000); in all, \$30,000;

Idaho: Fort Hall, \$9,285;

Iowa: Sac and Fox, \$2,000; Minnesota: Red Lake, \$39,405; Consolidated Chippewa, \$5,000, to be used for establishing a system of cooperative marketing for system. Indian crops, including wild rice, berries, fish, and furs; in all,

Montana: Blackfeet, \$2,500; Flathead, \$10,000; in all, \$12,500;

North Carolina: Cherokee, \$8,000;

Oregon: Klamath, \$46,550

\$44.405:

South Dakota: Cheyenne River, \$69,235; Washington: Puyallup, \$1,000 for upkeep of the Puyallup Indian

cemetery; Taholah (Quinaielt), \$1,000; in all, \$2,000;

Wisconsin: Keshena, \$56,310, including \$10,000 for monthly allowances, under such rules and regulations as the Secretary of the toold, etc. Menomines, transport of the property of the secretary of the old, etc. Menomines, from tribal funds. Interior may prescribe, to such old and indigent members of the Menominee Tribe as it is impracticable to place in the home for old and indigent Menominee Indians, and who reside with relatives or friends

In all, not to exceed \$356,835.

In all, not to exceed \$350,850.

Support of Chippewa Indians in Minnesota (tribal funds): For Chippewas in Minnesota (tribal funds): General support, etc. general support, administration of property, and promotion of selfsupport among the Chippewa Indians in the State of Minnesota, \$71,100, to be paid from the principal sum on deposit to the credit of said Indians, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645): Provided, That not to exceed \$30,000 of the foregoing amount may be expended in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians upon the condition that any funds used in support of a member of the tribe shall be reimbursed out of and become a lien against any individual property of which such member may now or hereafter become seized or possessed, the two preceding requirements not to apply to any old, infirm, or indigent Indian, in the discretion of the Secretary of the Interior.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma

(tribal funds): For the current fiscal year money may be expended officers. from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and \$4,000 for the said mining trustee, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: Provided, That the expenses of the above-named officials shall be determined and limited by the

Commissioner of Indian Affairs, not to exceed \$2,500 each.

There is hereby authorized to be expended, out of any money now standing to the credit of the Seminole Nation of Indians in the Treasury of the United States, the sum of not exceeding \$5,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Seminole Nation of Indians employed under the authority of the Act of Congress approved May 20, 1924 (43 Stat., pp. 133-134), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation

Colorado.

Idaho.

Iowa.

Minnesota

Montana. North Carolina. Oregon South Dakota Washington.

Vol. 25, p. 645,

Proviso.
Aiding indigent.

Five Civilized Tribes, xpenses, etc., tribal

Proviso. Limitation.

Seminoles, Okla. Attorneys, expenses.

Vol. 43, p. 133.

Provisos. Itemized Itemized statement and approval necessary.

Repayment.

Osages, Okla Agency expenses from tribal funds.

Traveling, etc., ex-

Proviso. Limitation penditure.

Roads and bridges.

Gallup-Shiprock ighway, N Mex..

Maintenance, etc. Proviso

Indian labor.

Annuities, etc.

Senecas, N.Y. Vol. 4, p. 442.

Six Nations, N.Y. Vol. 7, p. 46

Choctaws, Okla. Vol. 7, pp. 99, 212, 213, 236

Vol 11, p. 614.

of records and preparation, institution and prosecution of suits of the Seminole Nation of Indians against the United States under the above-mentioned Act of May 20, 1924: Provided further, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: Provided further, That any sums allowed and paid under this Act to the attorneys shall be reimbursable to the credit of the Seminole Nation out of any amount or amounts which may hereafter be decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Seminole tribal claims and suits under the above-mentioned Act of May 20, 1924.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing and telephoning, and purchase, repair, and operation of automobiles, \$109,220, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma.

For traveling and other expenses of tribal councils, business committees, or other tribal organizations, or representatives thereof, when engaged on business of the tribes, including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, \$25,000, payable from funds on deposit to the credit of the particular tribe interested: Provided, That not more than \$5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified.

ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, \$20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

ANNUITIES AND PER CAPITA PAYMENTS

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), \$6,000.

For fulfilling treaties with Six Nations of New York: For per-

manent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), \$4,500.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), \$3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article for light horsemen (article 13, treaty of October 16, 1020, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 29, 1855) \$320; in all \$10.520 20, 1825, and article 13, treaty of June 22, 1855), \$320; in all, \$10,520.

To carry out the provisions of the Chippewa treaty of September Saint Croix Cr 30, 1854 (10 Stat., p. 1109), \$1,000, in final settlement of the amount, \$141,000, found due and heretofore approved for the Saint Croix Chippewa Indians of Wisconsin, whose names appear on the final roll prepared by the Secretary of the Interior pursuant to Act of August 1, 1914 (38 Stat., pp. 582-605), and contained in House Document Numbered 1663, said sum of \$1,000 to be expended in the purchase of land or for the benefit of said Indians by the Commissioner of Indian Affairs: Provided, That in the discretion of the payment. Commissioner of Indian Affairs, the per capita share of any of said Indians under this appropriation may be paid in cash.

When, in the judgment of the Secretary of the Interior, it is playees.

Note that the service employees of appropriations for available herein made for the Indian field service, such appropriations shall be available for purchase of ice, rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects

of employees upon permanent change of station.

expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Saint Croix Chippe-

Vol. 38, p. 607. Purchase of land. Proviso.
Discretionary cash

BUREAU OF RECLAMATION

The following sums are appropriated out of the special fund in Payments, from rece Treasury of the United States created by the Act of June 17, Vol. 32, p. 388. the Treasury of the United States created by the Act of June 17, 1902, and therein designated "the reclamation fund", to be available immediately:

Salaries: For the Commissioner of Reclamation and other personnel, and other sonal services in the District of Columbia, \$86,850; for office expenses

in the District of Columbia, \$15,000; in all, \$101,850;

Administrative provisions and limitations: For all expenditures authorized by the Act of June 17, 1902 (32 Stat., p. 388), and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures from said fund are authorized, including not to exceed \$156,000 for personal services and \$15,000 for other expenses in the office of the chief engineer, \$20,000 for telegraph, telephone, and other communication service, \$5,000 for photographing and making photographic prints, \$41,250 for personal services, and \$10,000 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed \$18,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motorpropelled passenger-carrying vehicles; not to exceed \$35,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and

Reclamation Bureau.

Administrative prc-visions and limitations. Vol. 32, p. 388.

Purposes designated

Personal services.

Vehicles.

Property damages

the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred

in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Attendance at meet-Interior; not to exceed \$1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings

Restriction on place of headquarters.

Examination and inspection of projects.
Balance available
Vol. 47, p. 842.

Maintenance, etc , of reserved works. Balance available. Vol 47, p. 843.

Yuma, Ariz.-Calıf. Proviso Operating cual system. commer-

Orland, Calif.

Boise, Idaho. Minidoka, Idaho.

Proviso. Commercial system.

of technical and professional societies required in connection with official work of the bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of said appropriations may be used for maintenance of headquarters for the Bureau of Reclamation outside the District of Columbia except for an office for the chief engineer and staff and for certain field officers of the division of reclamation economics: Medical services for Provided further, That the Secretary of the Interior in his administration of the Bureau of Reclamation is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: Provided Restriction on use further, That no part of any sum provided for in this Act for the true irrears.

Restriction on use further, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears

> in arrears for more than twelve months in the payment of any charges due from said lands to the United States; Examination and inspection of projects: For examination of accounts and inspection of the works of various projects and divisions of projects operated and maintained by irrigation districts or water users' associations, and bookkeeping, accounting, clerical, legal, and other expenses incurred in accordance with contract provisions for the repayment of such expenses by the districts or associations, the unexpended balance of the appropriation for this purpose for the fiscal year 1934 is continued available for the same purpose for the fiscal year 1935;

> for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are

> Operation and maintenance of reserved works: For operation and maintenance of the reserved works of a project or division of a project when irrigation districts, water-users' associations, or Warren Act contractors have contracted to pay in advance but have failed to pay their proportionate share of the cost of such operation and maintenance, to be expended under regulations to be prescribed by the Secretary of the Interior, the unexpended balance of the appropriation for this purpose for the fiscal year 1934 is continued

> Yuma project, Arizona-California: For operation and maintenance, \$37,200: Provided, That not to exceed \$25,000 from the power revenues shall be available during the fiscal year 1935 for the operation and maintenance of the commercial system;

available for the same purpose for the fiscal year 1935;

Orland project, California: For operation and maintenance, \$33,500;

Boise project, Idaho: For operation and maintenance, \$26,100; Minidoka project, Idaho: For operation and maintenance, reserved works, \$11,200: Provided, That not to exceed \$50,000 from the power revenues shall be available during the fiscal year 1935 for the operation of the commercial system; and not to exceed \$100,000 from power revenues shall be available during the fiscal year 1935 for continuation of construction, south side division;

North Platte project, Nebraska-Wyoming: Not to exceed \$60,000 North Platte, Nebr. from the power revenues shall be available during the fiscal year 1935 for the operation and maintenance of the commercial system;

Rio Grande project, New Mexico-Texas: For operation and main- Rio Grande, N.Mex.-

tenance, \$305,000;

Owyhee project, Oregon: For operation and maintenance, \$9,300; Vale project, Oregon: For operation and maintenance, \$13,900;

Klamath project, Oregon-California: For operation and maintenance, \$40,900: Provided, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds Lake division to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Yakima project, Washington: For operation and maintenance, \$246,400: Provided, That not to exceed \$25,000 from power revenues shall be available during the fiscal year 1935 for operation and main-

tenance of the power system;
Riverton project, Wyoming; For operation and maintenance, \$23,300: Provided, That not to exceed \$25,000 from the power reverses. nues shall be available during the fiscal year 1935 for the operation and maintenance of the commercial system;

Shoshone project, Wyoming: For operation and maintenance, willwood division Willwood division, \$12,100: Provided, That not to exceed \$25,000 Protiso.

Commercial system from power revenues shall be available during the fiscal year 1935

for the operation and maintenance of the commercial system;

Secondary and economic investigations: For cooperative and general investigations, including investigations necessary to determine the economic conditions and financial feasibility of projects and svallable. Vol. 47, p. 844. investigations and other activities relating to the reorganization, settlement of lands, and financial adjustments of existing projects, including examination of soils, classification of land, land-settlement activities, including advertising in newspapers and other publications, and obtaining general economic and settlement data, not to exceed \$50,000 of the unexpended balance of the appropriation for these purposes for the fiscal year 1934 shall remain available for the same purposes for the fiscal year 1935: Provided, That the expendisame purposes for the fiscal year 1935: Provided, That the expenditures considered as supplementary to the appropriation for the project shall be ered supplementary; considered as supplementary to the appropriation for that project considered as supplementary to the appropriation for that project and shall be accounted for and returned to the reclamation fund as other expenditures under the Reclamation Act: Provided further, That the expenditure of any sums from this appropriation for investigations. tigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at last 1 50 per centum of the estimated cost of such investigation:

Giving information to settlers: For the purpose of giving infor- Information to set mation and advice to settlers on reclamation projects in the selection of lands, equipment, and livestock, the preparation of land for irrigation, the selection of crops, methods of irrigation and agricultural practice, and general farm management, the cost of which shall be charged to the general reclamation fund and shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the projects; the unexpended balance of the appropriation for this purpose for the fiscal year 1935

Balance continued available.

Vol. 47, p. 845.

is continued available for the same purpose for the fiscal year 1935;

Owyhee, Oreg. Vale, Oreg. Klamath, Oreg.-Calif. Proviso. Revenues from Tule

Yakima, Wash. Proviso.
Commercial system.

Riverton, Wyo Proviso. Commercial system.

¹ So in original.

Limitation on ex-penditures.

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1935, on any reclamation project appropriated for herein, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1935 exceed the whole amount in the "reclamation fund" for the fiscal year;

Interchange of appropriations.

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary of the

Emergency flood re-

Total, from reclamation fund, \$860,750.

Yuma project, Ariz.-

Vol. 44, p. 1016.

Balance available. Vol. 47, p. 845.

Not to be used for investigating new proj-

To defray the cost of operating and maintaining the Colorado Calif. Colorado River front work and levee system adjacent to the Yuma Federal work adjacent to.

River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, subject only to section irrigation project in Arizona and California, subject only to section 4 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat., p. 1010), the unexpended balance of the appropriation for the fiscal year 1934 is continued available for the same purpose for the fiscal year 1935.

No part of any appropriation in this Act for the Bureau of Reclamation shall be used for investigations to determine the economic and/or financial feasibility of any new reclamation project.

Geological Survey.

GEOLOGICAL SURVEY

SALARIES

Director, and office For the Director of the Geological Survey and other personal personnel. services in the District of Columbia, \$112,500;

General expenses.

GENERAL EXPENSES

For every expenditure requisite for and incident to the authorized

Authorization for all services.

Vehicles.

work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed \$30,000 for the purchase and exchange, and not to exceed \$50,000 for the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and including not to exceed \$3,000 for necessary traveling expenses of the director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time

attendance Travel: at meetings, etc.

heads: Topographic sur-

Topographic surveys: For topographic surveys in various portions of the United States, \$112,140, and in addition thereto not to exceed

prescribed by the Secretary of the Interior, and under the following

\$50,000 of the unexpended balance for this purpose for the fiscal year continued available for the same purpose for the fiscal year Vol. 47, p. 846. 1935, of which amount not to exceed \$105,000 may be expended for personal services in the District of Columbia: Provided, That no Provises.

Cooperation with States, or municipalities except the states or municipalities except the states of the stat States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: Provided further, That \$143,800 of this amount shall be Amount for cooperaavailable only for such cooperation with States or municipalities;

Geologic surveys: For geologic surveys in the various portions of the United States and chemical and physical researches relative thereto, \$289,440, of which not to exceed \$236,440 may be expended

for personal services in the District of Columbia;

Volcanologic surveys: For volcanologic surveys, measurements, and observatories in Hawaii, including subordinate stations elsewhere, \$6,030;

Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, \$29,150, to be available immediately, of which amount not to exceed \$14,400 may be expended

for personal services in the District of Columbia;

Gaging streams: For gaging streams and determining the water Gaging streams, investigations. supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$301,130, and in addition thereto the unexpended balance for this purpose for the fiscal year 1934 is continued available for the same purpose for the fiscal year 1935; for operation and maintenance of the Lees Ferry, Arizona, gaging station and other base gaging stations in the Colorado River drainage, \$36,520; in all, \$337,650, of which amount not to exceed \$124,540 may be expended for personal services in the District of Columbia: Provided, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon states, etc. the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water-resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: Provided further, tor That \$375,890 of this amount shall be available only for such cooperation with States or municipalities;

Classification of lands: For the examination and classification of Classifying lands as lands with respect to mineral character, water resources, and agricultural utility as required by the public land laws and for related administrative operations; for the preparation and publication of land classification maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, \$89,700, of which amount not to exceed \$78,750 may be expended for personal services in the District of Columbia

Printing and binding, and so forth: For printing and binding, \$69,800, and in addition thereto the unexpended balance for this purpose for the fiscal year 1934 is continued available for the same purpose for the fiscal year 1935; for preparation of illustrations, \$15,000; and for engraving and printing geologic and topographic maps, \$78,390; in all, \$163,190;

Geologic surveys

Volcanologic surveys.

Alaska, mineral re-

Balance available. Vol. 47, p. 846.

Gaging stations.

Services in the Dis-

Sum available there-

Printing and binding.

Nonmetallic Mineral Acts. Vol. 29, Vol. 41, pp. 40, p. 297; Vol. 41, pp. 437, 1363. U.S.C., pp. 963, 964, 1595, 1596.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U.S.C., title 48, sec. 435), October 2, 1917 (Vol. 38, p. 741; Vol. 41, pp. 61, pp. 297; Vol. 41, pp. (U.S.C., title 30, sec. 141), February 25, 1920 (U.S.C., title 30, sec. 181), and March 4, 1921 (U.S.C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$173,700, of which amount not to exceed \$52,500 may be expended for personal services in the District of Columbia:

Scientific, etc., investigations with departments, etc., by the bureau

During the fiscal year 1935 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations and requiring cooperative work by the Geological Survey on scientific and technical investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Geological Survey such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Geological Survey for the performance of work for the department or establishment from which the transfer is made: Provided, That any sums transferred by any department or independent establishment of the Government to the Geological Survey for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended: Provided further, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1934, as required to enable the Geological Survey to continue its cooperative

work pending reimbursement from cooperative agencies, the amount so utilized to be repaid to the appropriation from which advanced;

Credit of funds.

Provisos. Transfer of funds.

Cooperative work.

Aerual photographs for aviators, etc.

Reimbursement.

ians.

Transporting effects of employees

During the fiscal year 1935, upon the request of the Secretary of the Interior, the Secretary of War or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, insofar as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Contracts with civil Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs;

Appropriations herein made shall be available for payment of the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of

station, under regulations to be prescribed by the Secretary of the Interior;

Total, United States Geological Survey, \$1,313,500.

OFFICE OF NATIONAL PARKS, BUILDINGS, AND RESERVATIONS

Salaries: For the Director of the Office of National Parks, Buildings, and Reservations and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national pairs and their suitability for national pairs and their suitability for national pairs and experiment purposes and members of the commission appointed under the provisions of the Act of February 21, 1925 (43 Stat., p. 959):

Provided, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, \$148,390, of which amount not to exceed U.S.C., p. 65; Supp. VII, p. 34.

**Con 790 may be expended for the services of field employees engaged VII, p. 34.

**Vol. 22, p. 403.

Field employees the Office of National Parks, Buildings and Reservations.

General expenses: For every expenditure requisite for and incident penses. to the authorized work of the office of the Director of National Parks, Buildings, and Reservations not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the Office of National Parks, Buildings, and Reservations when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational work of the Office of National Parks, Buildings, and Reservations, \$24,500: Provided, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid penses.

from the various park and monument appropriations.

Acadia National Park, Maine: For administration, protection, and maintenance, including \$3,000 for George B. Dorr as superintendent, \$3,000 for temporary clerical services for investigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding \$1,800 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$41,470.

Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding \$300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in

connection with the general park work, \$10,490.
Carlsbad Caverns National Park, New Mexico: For administration, protection, and maintenance, including not exceeding \$800 for the maintenance, operation, and repair of motor-driven passengercarrying vehicles for the use of the superintendent and employees in connection with general park work, \$52,330.

Crater Lake National Park, Oregon: For administration, protection, and maintenance, including not exceeding \$800 for the maintenance, operation, and repair of motor-driven passenger-carry-

Office of National Parks, Buildings, and Reservations. Post, p. 389.

Director, and office personnel.

Accounting service.

Specialists and ex-

Proviso Field employees, ex-

Acadia, Maine.

Bryce Canyon, Utah.

Carlsbad N.Mex. Caverns

Crater Lake, Oreg

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ing vehicles for the use of the superintendent and employees in connection with general park work, \$48,190.

General Grant, Calif.

General Grant National Park, California: For administration, protection, and maintenance, including not exceeding \$400 for the maintenance, operation, and repair of a motor-driven passengercarrying vehicle, \$11,750.

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding \$750 for the maintenance, operation, and repair of motor-driven passengercarrying vehicles for the use of the superintendent and employees

Grand Canyon, Ariz.

in connection with general park work, \$151,660.

Grand Canyon National Park, Arizona: For administration, protection, and maintenance, including not exceeding \$1,000 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$102,400.

Grand Teton, Wyo.

Grand Teton National Park, Wyoming: For administration, protection, and maintenance, including not exceeding \$700 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$15,620.

Great Smoky Moun-tains, N.C.-Tenn.

Proposed Great Smoky Mountains National Park, North Carolina and Tennessee: For administration and protection of the portion of the area of such proposed park the title of which has been vested in Vol. 44, p. 616; U.S. the United States under the provisions of section 3 of the Act of May 22, 1926 (U.S.C., title 16, sec. 403b), including not to exceed \$300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for use in connection with such work, \$22,270.

Hawaii National Park: For administration, protection, and maintenance, including not exceeding \$800 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park

Hot Springs, Ark.

Hawaii.

work, \$35,350. Hot Springs National Park, Arkansas: For administration, protection, maintenance, and improvement, including not exceeding \$700 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees

in connection with general park work, \$64,330.

Lassen Volcanic National Park, California: For administration, protection, and maintenance, including not exceeding \$700 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in

Lassen, Calif.

connection with general park work, \$20,860. Mesa Verde National Park, Colorado: For administration, protection, and maintenance, including not exceeding \$700 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connec-

Mesa Verde, Colo.

tion with general park work, \$39,760.

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, \$22,270.

Mount McKinley, Alaska.

Mount Rainier National Park, Washington: For administration, protection, and maintenance, including not exceeding \$1,500 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$107,730.

Mount Rainier, Wash.

Platt National Park, Oklahoma: For administration, protection, and maintenance, including not exceeding \$300 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$19,150.

Rocky Mountain National Park, Colorado: For administration, protection, and maintenance, including not exceeding \$1,200 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in

connection with general park work, \$73,370.

Sequoia National Park, California: For administration, protection, and maintenance, including not exceeding \$1,200 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$86,700.

Proposed Shenandoah National Park, Virginia: For administration, protection, and maintenance, including not exceeding \$400 for the maintenance, operation, and repair of motor-driven passengercarrying vehicles for the use of the superintendent and employees in of this appropriation shall be available for expenditure in advance ditional.

Proviso.

Expenditure conditional ditional. proposed Shenandoah National Park, as prescribed in the Act p. 304.
approved February 4, 1932, (U.S.C., Supp. VI, title 16, secs. 403b, 403d; Act of February 4, 1932, 47 Stat. 37).
Wind Cave National Park, South Dakota: For administration, protection, and maintenance, including not exceeding \$\frac{4050}{4050}\$ for \$\frac{1}{41}\$.

Wind Cave, S.Dak.

maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in con-

nection with general park work, \$14,020.

Yellowstone National Park, Wyoming: For administration, protection, and maintenance, including not exceeding \$5,700 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$8,400 for maintenance of the road in the national forest leading out of the park from the east boundary, not exceeding \$7,500 for maintenance of the road in the national forest leading out of the park from the south boundary, and including feed for buffalo and other animals and salaries of buffalo keepers, \$348,490.

Yosemite National Park, California: For administration, protection, and maintenance, including not exceeding \$1,800 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$2,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, \$250,070.

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding \$700 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$35,940.

National monuments: For administration, protection, maintenance, National monuments. National monuments including not exceeding Administration, etc. and preservation of national monuments, including not exceeding

Platt, Okla.

Rocky Mountain,

Sequoia, Calif.

Shenandoah, Va., proposed.

Yellowstone, Wyo.

Yosemite, Calif.

Zion, Utah.

National parks and monuments \$2,100 for the purchase, maintenance, operation, and repair of motordriven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, \$82,760.

National historical parks and monuments: For administration, protection, maintenance, and improvement, including the maintenance, operation, and repair of motor-driven passenger-carrying

Emergency reconstruction, fighting forest fires, etc.

vehicles, \$77,350.

Balance available Vol. 47, p. 852.

Restriction on allotments.

Forest insect control.

Commissioners' sal-

expenses.

National military monuments.

Accounting.

Lectures.

Public buildings and

Vol. 46, p. 482. Vol. 43, p. 174.

Emergency reconstruction and fighting forest fires in national parks: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes during the fiscal year 1935, and for fighting or emergency prevention of forest fires in national parks or other areas administered by the Office of National Parks, Buildings, and Reservations, or fires that endanger such areas, \$25,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1934 is continued available during the fiscal year 1935, together with not to exceed \$100,000 to be transferred upon the approval of the Secretary of the Interior from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: Provided, That the allotment of these funds to the various national parks or areas administered by the Office of National Parks, Buildings, and Reservations as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred.

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases, including necessary personnel and equipment for such work; and for fireprevention measures, including necessary personnel and fire-prevention equipment, \$69,600.

For salaries of commissioners in Crater Lake, Glacier, Hawaii, Lassen Volcanic, Mesa Verde, Mount Rainier, Rocky Mountain, Sequoia and General Grant, Yellowstone, and Yosemite National Parks, \$17,750, which shall be in lieu of all fees and compensation heretofore authorized.

Military parks, battlefields, etc. Administrative, etc., tration, protection, maintenance, and improvement, including the maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$160,030.

> National Military Monuments: For administration, protection, maintenance, and improvement, including the maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$33,770.

> The total of the foregoing amounts shall be available in one fund for the Office of National Parks, Buildings, and Reservations. Appropriations made for the national parks, national monuments,

> and other reservations under the jurisdiction of the Office of National Parks, Buildings, and Reservations, shall be available for the giving of educational lectures therein.

> Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the Office of National Parks, Buildings, and Reservations, including the Arlington Memorial Bridge, the Mount Vernon Memorial Highway, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), and including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the

Contingent expenses.

police force of the Mount Vernon Memorial Highway, and the purchase, at not to exceed \$1,500, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, motor-propelled passenger-carrying vehicles, ammunition, uniforms, and equipment necessary for this force; per diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia; rent of buildings; demolition of buildings; traveling expenses and car fare; leather and rubber articles and gas masks for the protection of public property and employees; not exceeding \$13,000 for uniforms for employees; and the maintenance, repair, exchange, storage, and operation of two motor-propelled passenger-carrying vehicles; \$4,000,000, of which amount not to exceed \$3,114,000 shall be available for personal services in the District of Columbia, and of this latter amount not to exceed \$66,330 shall be available for personal services, without reference to civil service rules, incident to moving various executive departments and establishments in connection with the assignment, allocation, trans-

fer, and survey of space.
Salaries and Expenses, Public Buildings Outside the District of Salaries and expenses outside the District. Columbia: For administration, protection, and maintenance, including improvement, repair, cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, personal services at rates of compensation not in excess of the rates current in the place where such services are employed, and every expenditure requisite for and incidental to such maintenance and operation of public buildings

outside of the District of Columbia under the jurisdiction of the Office of National Parks, Buildings, and Reservations, \$78,590.

Hereafter the Office of National Parks, Buildings, and Reservations shall be known as the "National Park Service", and appropriations herein made for the Office of National Parks, Buildings, and Reservations shall be available to the National Park Service, and the services of the Director and personnel of the Office of National ent personnel. Parks, Buildings, and Reservations shall be continued in the National Park Service under their present appointments.

To be known as "Na-tional Park Service"

Continuance of pres-

OFFICE OF EDUCATION

Office of Education.

SALARIES

For the Commissioner of Education and other personal services Commissioner, and office personnel. in the District of Columbia, \$220,500.

GENERAL EXPENSES

General expenses.

For necessary traveling expenses of the commissioner and Travel, attendance employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations; for compensation, not to exceed \$500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, \$12,500.

FEDERAL BOARD FOR VOCATIONAL EDUCATION

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational color to provide for cooperation with the States in the promotion." Extending benefits to Hawaii. Vol. 39, p. 929; U.S. education; to provide for cooperation with the States in the promotion.

Federal Board for Vocational Education.

tion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and reguvol. 43, p. 18; U.S.C., late its expenditure", approved February 23, 1917 (U.S.C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled
"An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U.S.C., title 20, sec. 29), \$30,000.

Cooperative rehabili-

Cooperative Vocational Rehabilitation of Persons Disabled in tation of persons injured in industry, ex- Industry: For carrying out the provisions of the Act entitled "An penses. Vol. 41, p. 735; Vol. Act to provide for the promotion of vocational rehabilitation of 43, p. 431; Vol. 46, p. persons disabled in industry or otherwise and their return to civil 524; Vol. 47, p. 448. U.S.C., p. 948; Supp. VII, 745.

WINDERSON OF THE PROPOSES OF

Salaries and expenses.

Salaries and expenses: For making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said Board incident to performing the duties imposed by the Act of June 2, 1920 (U.S.C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U.S.C., title 29, sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U.S.C., Supp. VI, title 29, secs. 31, 40), including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere, as the Board may deem necessary, actual traveling and other necessary expenses incurred by the members of the Board and by its employees, under its orders; including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia, and elsewhere, purchase of books of reference, law books, and periodicals, newspapers not to exceed \$50, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding, and all other necessary expenses, \$58,000, of which amount not to exceed \$48,000 may be expended for personal services in the District of Columbia.

Cooperative reha-litation of disabled sidents of District of hilitation

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating, disabled residents of the Vol. 45, p. 1260. U.S.C., Supp. VII, p. 747. District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (U.S.C.,

Extending benefits to

Supp. VI, title 29, secs. 47–47e), \$15,000.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education vol. 39, p. 930; vol. in agriculture and the trades and industries; to provide for coopera-46, p. 1489. tion with the States in the preparation of teachers of vocational VI, p. 459. subjects: and to appropriate mapper and recultive in the preparation. subjects; and to appropriate money and regulate its expenditure", approved February 23, 1917 (U.S.C., title 20, secs. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U.S.C., title 20, secs. 11-18; title 29, secs. 31-35; U.S.C., Supp. VI, title 20, sec. 30), \$105,000.

Attendance at meet-

Appropriations available to the Federal Board for Vocational Education for salaries and expenses shall be available for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the board are necessary for the

efficient discharge of its responsibilities.

the Legislative Appropriation Act, fiscal year 1933, as amended, equive Order Mumbered 6586, dated February 6, 1934, revoking section 18 of Executive Order Numbered 6166 dated Total Total Color Vol. 47, p. 414. section 18 of Executive Order Numbered 6166, dated June 10, 1933, shall take effect on the date of approval of this Act.

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

Salaries of the governor and of the secretary \$14,040.

For incidental and contingent expenses of the offices of the governor and of the secretary of the Territory, clerk hire, not to exceed \$7,740; janitor service for the governor's office and the executive mansion, not to exceed \$2,870; traveling expenses of the governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the governor; repair and preservation of governor's house and furniture; for care of grounds and purchase of necessary equipment; stationary, lights, water, and fuel; in all, \$14,720, to be expended under the direction of the governor.

Legislative expenses: For salaries of members, \$19,440; mileage of members, \$9,500; salaries of employees, \$4,680; printing, indexing, comparing proofs, and binding laws, printing, indexing, and binding journals, stationery, supplies, printing of bills, reports, and so forth, \$8,700; in all, \$42,320, to be expended under the direction of

the Governor of Alaska.

Reindeer for Alaska: For support of reindeer stations in Alaska and instruction in the care and management of reindeer, including salaries of necessary employees in Alaska, traveling expenses of employees, including expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and expenses of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior, purchase, erection, and repair of cabins for supervisors, herders, and apprentices, equipment, and all other necessary miscellaneous expenses, \$30,520, to be available immediately.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation of medical supervisor detailed from Public Health Service, transportation, burial, and other expenses, \$161,600: Provided, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, not to exceed \$564 per capita per annum for the care and maintenance of Alaskan insane patients during the fiscal year 1935: Provided further, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary of the Interior shall, so soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and

the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal

residence of such person.

Government in the Territories.

Alaska.

Governor and secre-Incidental and contingent expenses.

Legislative expenses.

Reindeer.

Care of insane.

Provisos. Payments.

Returning non-Alas-kan residents.

¹ So in original.

Roads, bridges, trails,

Alaska Railroad. Maintenance, etc.

Additional facilities for freight transportation.

Vol. 39, p. 750. U.S C., p. 81.

Provisos. Services in the District.

Printing and binding.

Hawaii.

Governor and secre-

tary. Contingent expenses.

Legislative expenses.

Virgin Islands.

Governor, and other ersonal services.
Vol. 39, p. 1132.
U.S.C. p. 1643.

For the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the U.S.C., Supp. VII, p. 984. VII, p. 984. VII, p. 984. VII, p. 984. VII, title 48, secs. 321a-321d), \$451,900; for repair and maintenance of Government wharf at Juneau, Alaska, \$100; in all, \$452,000, to be immediately available.

The Alaska Railroad: For every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Operation, etc., of Yukon River and its tributaries in Alaska; operation and maintevessels.

nance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tribu-tary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (U.S.C., title 5, sec. 793), to be reimbursed as therein provided, \$1,000, in addition to all amounts received by the Alaska Railroad during the fiscal year 1935, to continue available until expended: Provided, That not to exceed \$5,400 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1935, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than \$5,400: Provided further, That not to exceed \$9,000 of such fund shall be available for printing and binding.

TERRITORY OF HAWAII

Salaries of the governor and of the secretary, \$14,220.

For contingent expenses, to be expended by the governor for stationery, postage, and incidentals, \$1,000; private secretary to the governor; temporary clerk hire, \$500; for traveling expenses of the governor while absent from the capital on official business, \$1,250; in all, \$5,490.

Legislative expenses, Territory of Hawaii: For compensation and mileage of members of the Legislature of the Territory of Hawaii as provided by the Act of June 27, 1930 (U.S.C., Supp. VI, title 48, sec. 599), \$42,500.

TEMPORARY GOVERNMENT FOR THE VIRGIN ISLANDS

For salaries of the Governor and employees incident to the execution of the Act of March 3, 1917 (U.S.C., title 48, sec. 1391), traveling expenses of officers and employees while absent from place of duty on official business, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, including not to exceed \$4,000 for purchase, including exchange, maintenance, repair, and operation of motorpropelled passenger-carrying vehicles, and not to exceed \$4,000 for personal services, household equipment and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix; \$117,840.

For salaries and expenses of the agricultural experiment station Agricultural experiment tation ment stations. and the vocational school in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses, including not to exceed \$2,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$29,968.

For defraying the deficits in the treasuries of the municipal Deficits of municipal governments. governments because of the excess of current expenses over current revenues for the fiscal year 1935, municipality of Saint Thomas and Saint John, \$90,000, and municipality of Saint Croix, \$82,600; in all, \$172,600: Provided, That the amount herein appropriated for each municipal government shall be expended only if an equivalent amount is raised by municipal revenues and applied to the operating costs of the respective government, except that for the fiscal year 1935 the contribution to the municipal governments shall not be less than \$86,000 for the municipality of Saint Thomas and Saint John and should the revenues of the municipality of Saint Thomas and Saint improvements.

John, during the fiscal ways 1925 \$78,600 for the municipality of Saint Croix: Provided further, That John, during the fiscal year 1935, exceed \$90,000, and/or the revenues of the municipality of Saint Croix exceed \$82,600, such excess revenues may be expended for municipal improvements and operating costs of the municipalities under such rules and regulations as the President may prescribe.

For such projects for the further development of agriculture and projects. industry, and for promoting the general welfare of the islands as may be approved by the President, including the acquisition by purchase, condemnation, or otherwise, of land and the construction of buildings for use in administering the affairs of the islands; the purchase of land for sale as homesteads to citizens of the Virgin Islands; and the making of loans for the construction of buildings, Loans for building for the purchase of farming implements and equipment, and for other expenses incident to the cultivation of land purchased for

resale as homesteads, \$14,350.

SAINT ELIZABETHS HOSPITAL

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval service of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, and insane beneficiaries of the United States Veterans' Administration, including not exceeding \$27,000 for the purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-

Provisos.
Division of deficit.

Acquisition of land.

Saint Elizabeths Hospital.

Maintenance, etc.

Insane citizens in

carrying vehicles for the use of the superintendent, purchasing agent,

Vehicles.

Repairs and improve-

Return of escaped patients.

Provisos.

Returning not Federal charges.

Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for

Columbia Institution for the Deaf.

Maintenance, etc.

Howard University.

Salaries.

General expenses.

and general hospital business, and including not to exceed \$175,000 for repairs and improvements to buildings and grounds, \$1,064,961, including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding \$1,500 of this sum may be expended in the removal of patients to their friends, not exceeding \$1,500 in the purchase of such books, periodicals, and newspapers, as may be required for the purposes of the hospital and for the medical library, and not exceeding \$1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: Provided, inmates That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of Purchase of butter residence: Provided further, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes

Patients in the Disexcept for cooking purposes: Provided further, That during the fiscal year 1935 the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of

beths Hospital, upon the approval of the Secretary of the Interior. COLUMBIA INSTITUTION FOR THE DEAF

the year in which the support, clothing, and treatment is provided, and be subject to requisition by the disbursing agent of Saint Eliza-

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, \$119,600.

HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$405,000, of which sum not less than \$2,200 shall be used for normal instruction;

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, including reimbursement to the appropriation for Freedmen's Hospital of actual cost of heat and light furnished, \$200,000;

Total, Howard University, \$605,000.

FREEDMEN'S HOSPITAL

Freedmen's Hospital. Salaries, etc.

Contingent expenses.

Division of expenses.

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, \$187,570; for subsistence, fuel and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, purchase, at not to exceed \$650, of one passenger-carrying automobile, and maintenance and operation of passenger-carrying vehicles, including not exceeding \$300 for the purchase of books, periodicals, and newspapers; and not to exceed \$1,200 for the special instruction of pupil nurses, and other absolutely necessary expenses, \$70,580; in all, for Freedmen's Hospital, \$258,150, of which amount one half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia

Sec. 2. Appropriations herein made for field work under the Gen-priations available for eral Land Office, the Bureau of Indian Affairs, the Bureau of Rec-work animals, etc. lamation, the Geological Survey, and the Office of National Parks, Buildings, and Reservations shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Approved, March 2, 1934.

[CHAPTER 40.]

AN ACT

To provide for the care and transportation of seamen from shipwrecked fishing _ and whaling vessels.

March 5, 1934. [H.R. 7205.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (relating to the care and transportation of shipwrecked merchant seamen) of the Act approved December 21, 1898 (U.S.C., title 46, Care and transportation of the Act to amend the laws relating to American U.S.C., p. 1514. seamen, for the protection of such seamen, and to promote commerce", shall apply to fishing and whaling vessels, notwithstanding the provisions of section 26 of such Act.

Approved, March 5, 1934.

[CHAPTER 41.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Farnam Street, Omaha, Nebraska.

March 5, 1934. [H.R. 7554.] [Public, No. 111.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for Commencing and completing the construction of a bridge across bridging, at Omaha, the Missouri River at or near Farnam Street, Omaha, Nebraska, Nebr. vol. 46, pp. 544, 1192; authorized to be built by the Omaha-Council Bluffs Missouri River vol. 47, pp. 290, 903, amended.

Bridge Roard of Trustees by an Act of Congress approved Line 10. Bridge Board of Trustees by an Act of Congress approved June 10, 1930, heretofore extended by Acts of Congress approved February 20, 1931, June 9, 1932, and February 24, 1933, are hereby further extended one and three years, respectively, from June 10, 1934.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 5, 1934.

[CHAPTER 42.]

AN ACT

March 5, 1934. [H.R. 7705.] [Public, No. 112.]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana.

Be it enacted by the Senate and House of Representatives of the

Mississippi River. Time extended for bridging, between New Orleans and Gretna,

United States of America in Congress assembled, That the times for Time extended for bridging, between New commencing and completing the construction of a bridge across the orleans and Gretna, Louisiana, La.

Vol. 41, p. 1270; Vol. 45, pp. 193, 1229; Vol. 46, p. 551; Vol. 47, p. 1416, amended.

Mississippi River between New Orleans and Gretna, Louisiana, Luciana, Louisiana, Luciana, February 19, 1929, June 10, 1930, and March 1, 1933, are hereby extended one and three years, respectively, from March 2, 1934.

Sec. 2. The right to alter, amend, or repeal this Act is hereby Amendment. expressly reserved.

Approved, March 5, 1934.

[CHAPTER 43.]

AN ACT

March 5, 1934. [H.R. 6219.]

To repeal certain specific Acts of Congress and an amendment thereto enacted

Stat. 506); section 8, chapter 145, of the Act of March 1, 1655 (20 Stat. 697); and that part of the Act of May 25, 1918 (40 Stat. 563), as amended by the Act of June 30, 1919 (41 Stat. 4), which is embraced in section 244, title 25, United States Code, be, and they are hereby, repealed insofar as they apply to and affect that part of the State of Oklahoma formerly known as "Indian Territory": Provided, That this Act shall not be construed to repeal the Acts

Proviso. Exception.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Acts of intoxicating liquors in Indian Territory (Oklahoma).

Certain specific Acts concerning, repealed.
Vol. 27, p. 260; Vol. 29, p. 506; Vol. 28, p. 506; Vol. 28, p. 506; Vol. 28, p. 506; Vol. 40, p. 563; Vol. 41, p. 4.

U.S.C., p. 705.

Be it enacted by the Senate and House of Representatives of the Acts of Congress assembled, That the Acts of Stat. 260); January 30, 1897 (29) (29) (27, p. 260; Vol. 28, p. 506; Vol. 29, p. 506; Vol. 29, p. 506; Vol. 29, p. 506; Vol. 29, p. 506; Vol. 20, p. 705.

Government. Approved, March 5, 1934.

[CHAPTER 44.]

AN ACT

herein referred to insofar as they apply to any tract of land upon which there may be now or hereafter located any Indian school maintained by or under the supervision of the United States

March 5, 1934. [H.R. 715.] [Public, No. 114.]

To award the Distinguished Service Cross to former holders of the certificate of merit, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Distinguished Serv- United States of America in Congress assembled, That the Distin-Award of, to Army guished Service Cross shall be issued to all enlisted men of the Army enlisted men holding certificate of merit.

The constraint of the Army guished Service Cross shall be issued to all enlisted men of the Army to whom the certificate of merit was issued under the provisions of the certificate of merit.

To holders of Distinguished Service Medal. Vol. 40, p. 870; U.S.C., p. 222.

to whom the certificate of merit was issued under the provisions of previously existing law in lieu of such certificate of merit.

Sec. 2. Those persons who have heretofore received the Distinguished Service Medal in lieu of the certificate of merit under the provisions of the Act of July 9, 1918 (40 Stat. 870-872), shall be issued the Distinguished Service Medal is first surrendered to the War Department. Surrender of medal Service Medal is first surrendered to the War Department.

Approved, March 5, 1934.

[CHAPTER 45.]

JOINT RESOLUTION

Authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Oklahoma, to be held May 12 to May 19, 1934, inclusive.

March 5, 1934. [S.J. Res. 80.] [Pub. Res., No. 14.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the International Petro-United States is authorized to invite by proclamation, or in such Okla. Proclamation to other manner as he may deem proper, the States of the Union and invite participation. all foreign countries to participate in the proposed International Petroleum Exposition, to be held at Tulsa, Oklahoma, from May 12 to May 19, 1934, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries used in the petroleum industry and bringing together buyers and sellers for promotion of trade and commerce in such products.

SEC. 2. All articles that shall be imported from foreign countries Admission of articles for exhibition. for the sole purpose of exhibition at the International Petroleum Exposition upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs, fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell sales permitted, subany goods or property imported for and actually on exhibition, subtions. ject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: Provided, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on such articles which shall have suffered rioration, etc. diminution or deterioration from incidental handling and necessary exposure, the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any sales, etc.

Penalty for illegal person guilty of any illegal sale, use, or withdrawal.

Sec. 3. That the Government of the United States is not by this pense.

No Government expense.

Proviso Payment of duty.

resolution obligated to any expense in connection with the holding of such exposition and is not hereafter to be obligated other than for suitable representation thereat.

Approved, March 5, 1934.

[CHAPTER 46.]

JOINT RESOLUTION

To amend Public Act Numbered 81 of the Seventy-third Congress, relating to the sale of timber on Indian land.

[H.J.Res., 78.]
[Pub. Res., No. 15.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso in the Act of June 16, 1933 (Public, Numbered 81, Seventy-third Consults, Ante, p. 311. gress, first session; 48 Stat.L. 311), relating to the sale of timber on Indian lands, be, and the same hereby is, amended to read as follows: "And provided further, That the authority granted herein shall terminate on the 4th day of September 1934.

Indian lands, timber

Approved, March 5, 1934.

Authority conferred to terminate Septem-ber 4, 1934.

[CHAPTER 47.]

AN ACT

March 6, 1934, [Public, No. 115.]

To extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes.

Ante, p. 337. Collateral required, hereinbefore provided for as it may require. Such application shall

nature of.

Be it enacted by the Senate and House of Representatives of the Federal Reserve United States of America in Congress assembled, That the second vol. 38, p. 265; Vol. 47, pp. 57, 794; U.S.C., p. 284; Supp. VII, p. 175. Issue to Federal Reserve bank. Issue to Federal Reserve bank. Serve bank. Serve bank. Tederal Reserve agent for such amount of the Federal Reserve notes

Federal Reserve agent for such amount of the Federal Reserve notes

be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes

Vol. 38, pp. 263, 264.

thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this Act, or bills of exchange indorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this Act, or bankers' acceptances purchased under the

Proviso.
U.S. direct obligations as collateral security for Reserve notes until March 3, 1935.

provisions of said section 14, or gold certificates: Provided, however, That until March 3, 1935, or until the expiration of such additional period not exceeding two years as the President may prescribe, the Federal Reserve Board may, should it deem it in the public interest,

upon the affirmative vote of not less than a majority of its members, authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, as such collateral security, direct obligations of the Retirement of, on expiration of authorization. United States. On such date or upon the expiration of such period so prescribed by the President, or sooner should the Federal Reserve Board so decide, such authorization shall terminate and such obli-

gations of the United States be retired as security for Federal Security to equal Reserve notes. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. Daily notices of with-Reserve agent shall each day notify the Federal Reserve Board of drawals, etc.

all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited. The said Federal Reserve Board may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued

The Federal

Additional security.

to it." Approved, March 6, 1934.

[CHAPTER 48.]

AN ACT

March 8, 1934. [S. 1759.] [Public, No. 116.]

To revive and reenact the Act entitled "An Act granting the consent of Congress to the Mill Four Drainage District in Lincoln County, Oregon, to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith", approved June 17, 1930.

River.
Time extended for constructing dams and dikes on. Vol. 46, p. 767.

Be it enacted by the Senate and House of Representatives of the Yaquina Bay and United States of America in Congress assembled, That the Act Time extended for approved June 17, 1930, granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oregon, to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith, be, and the same is hereby, Proviso. Commencement, etc. revived and reenacted: Provided, That this Act shall be null and void unless the actual construction of the dams and dikes herein referred to be commenced within one year and completed within

three years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby Amendment. expressly reserved.

Approved, March 8, 1934.

[CHAPTER 49.]

AN ACT

To amend an Act entitled "An Act to give the Supreme Court of the United . States authority to prescribe rules of practice and procedure with respect to proceedings in criminal cases after verdict."

March 8, 1934. [S. 2461.] [Public, No. 117.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Proceedings in criminal cases after verdict. February 24, 1933 (ch. 119), entitled "An Act to give the Supreme Vol. 47, p. 904. U.S.C., Supp. VII, Court of the United States authority to prescribe rules of practice p. 741. and procedure with respect to proceedings in criminal cases after verdict" (U.S.C., title 28, sec. 723a), be, and the same is hereby, amended to read as follows:

"That the Supreme Court of the United States shall have the Court to prescribe, by power to prescribe, from time to time, rules of practice and procedure rules. When finding of guilt with respect to any or all proceedings after verdict, or finding of by guilt by the court if a jury has been waived, or plea of guilty, in guilty entered. criminal cases in district courts of the United States, including the District Courts of Alaska, Hawaii, Puerto Rico, Canal Zone, and Virgin Islands, in the Supreme Courts of the District of Columbia, Hawaii, and Puerto Rico, in the United States Court for China, in the United States Circuit Courts of Appeals, in the Court of Appeals of the District of Columbia, and in the Supreme Court of the United States: Provided, That nothing herein contained shall be construed Provise.

Right to withdraw to give the Supreme Court the power to abridge the right of the plea, not abridged. accused to apply for withdrawal of a plea of guilty, if such application be made within ten days after entry of such plea, and before sentence is imposed.

"Sec. 2. The right of appeal shall continue in those cases in which appeal continued appeals are now authorized by law, but the rules made as herein authorized may prescribe the times for and manner of taking appeals, preparing records, etc., authorized. and applying for writs of certiorari and preparing records and bills of exceptions and the conditions on which supersedeas or bail may be allowed.

"Sec. 3. The Supreme Court may fix the dates when such rules Supreme Court to shall take effect and the extent to which they shall apply to proceedings then pending, and after they become effective all laws in conflict therewith shall be of no further force."

Approved, March 8, 1934.

Conflicting laws.

[CHAPTER 52.]

AN ACT

To authorize the Secretary of War to sell to the Plattsburgh National Bank and Trust Company a tract of land comprising part of the Plattsburgh Barracks Military Reservation, New York.

March 10, 1934. [H.R. 93.] [Public, No. 118.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby authorized, in his discretion, to sell vation, N. Y.

Sale of part authorized and conditions as he considers advisable a tract. upon such terms and conditions as he considers advisable, a tract ized. of land containing approximately one-half acre, comprising a part of the Plattsburgh Barracks Military Reservation, New York, and situated in the northwest corner thereof, which said tract is no longer needed for military purposes, and to execute and deliver in the name

73d CONGRESS. SESS. II. CHS. 52-54. MARCH 10, 1934.

Proceeds to credit of post construction fund.

Provisos.
Appraisal. Sale price.

of the United States and in its behalf, any and all contracts, conveyances, or other instruments necessary to effectuate such sale; the proceeds of the sale of the property hereinbefore designated to be deposited in the Treasury to the credit of the fund known as the military post construction fund: *Provided*, That the Secretary of War shall have the said tract appraised: *And provided further*, That the Secretary of War shall not sell said tract of land for a less consideration than the appraised value thereof.

Approved, March 10, 1934.

[CHAPTER 53.]

AN ACT

March 10, 1934. [S. 1115.] [Public, No. 119.]

To authorize the Department of Agriculture to issue a duplicate check in favor of Department of Forests and Waters, Commonwealth of Pennsylvania, the original check having been lost.

Be it enacted by the Senate and House of Representatives of the Pennsylvania, Department of Forests and Waters. Issue of duplicate of the United States of section 3646, as amended, of the Revised Statutes of the United States, the disbursing clerk of the Department of Agriculture is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered of an indemnity bond, a duplicate of original check numbered 2675700, drawn November 19, 1931, in favor of Department of Forests and Waters, Commonwealth of Pennsylvania, for \$345, the original check having been lost.

Approved, March 10, 1934.

[CHAPTER 54.]

AN ACT

March 10, 1934. [S. 2277.] [Public, No. 120.]

To establish fish and game sanctuaries in the national forests.

Be it enacted by the Senate and House of Representatives of the

to set aside areas for, certain

National forests, fish United States of America in Congress assembled. That for the purand game sanctuaries.

President authorized pose of providing breeding places for game birds, game animals, and fish on lands and waters in the national forests not chiefly suitable for agriculture, the President of the United States is hereby authorized, upon recommendation of the Secretary of Agriculture and the Secretary of Commerce and with the approval of the State legislatures of the respective States in which said national forests are situated, to establish by public proclamation certain specified and limited areas within said forests as fish and game sanctuaries or refuges which shall be devoted to the increase of game birds, game animals, and fish of all kinds naturally adapted thereto, but it is not intended that the lands included in such fish and game sanctuaries or refuges shall cease to be parts of the national forests wherein they are located, and the establishment of such fish and game sanctuaries or refuges shall not prevent the Secretary of Agriculture from permitting other uses of the national forests under and in conformity with the laws and the rules and regulations applicable thereto so far as such uses may be consistent with the purposes for which such fish and game sanctuaries or refuges are authorized to be established.

Other uses of forest reserves permitted.

Unlawful acts.

SEC. 2. That when such fish and game sanctuaries or refuges have been established as provided in section 1 of this Act, hunting, pursuing, poisoning, angling for, killing, or capturing by trapping, netting, or any other means or attempting to hunt, pursue, angle for, kill, or capture any wild animals or fish for any purpose whatever upon the lands of the United States within the limits of said fish and game sanctuaries or refuges shall be unlawful except as hereinafter provided, and any person violating any provision of this Act or any of the rules and regulations made under the provisions of this Act shall be deemed guilty of a misdemeanor and shall upon conviction in any United States court be fined in a sum of not exceeding \$100 or imprisonment not exceeding six months, or both.

SEC. 3. That the Secretaries of Agriculture and Commerce shall visions. execute the provisions of this Act, and they are hereby jointly authorized to make all needful rules and regulations for the administration of such fish and game sanctuaries or refuges in accordance with the purpose of this Act, including regulations not in contravention of State laws for hunting, capturing, or killing predatory animals, such as wolves, coyotes, foxes, pumas, and other species destructive to livestock or wild life or agriculture within the limits of said fish and game sanctuaries or refuges: *Provided*, That the present jurisdiction of the States shall not be altered or changed etc. without the legislative approval of such States.

Approved, March 10, 1934.

Exception.

Punishment for.

Proviso.
State jurisdiction.

[CHAPTER 55.]

AN ACT

To promote the conservation of wild life, fish, and game, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture and the Secretary of Commerce are authorized to Congress assembled. provide expert assistance to and to cooperate with Federal, State, and other agencies in the rearing, stocking, and increasing the supply of game and fur-bearing animals and fish, in combating diseases, and in developing a Nation-wide program of wild-life conservation and rehabilitation.

SEC. 2. The Secretary of Agriculture and the Secretary of Commerce are authorized to make such investigations as they may deem substances. necessary to determine the effects of domestic sewage, trade wastes, to be made and other polluting substances on wild life, with special reference to birds, mammals, fish, and shellfish, and to make reports to the Congress of their investigations with recommendations for remedial measures. Such investigations shall include studies of methods for the recovery of wastes and the collation of data on the progress being made in these fields for the use of Federal, State, municipal, and private agencies

Sec. 3. (a) Whenever the Federal Government through the Uses of impounded Bureau of Reclamation or otherwise, impounds water for any use, migratory bird refuges, opportunity shall be given to the Bureau of Fisheries and/or the etc. Bureau of Biological Survey to make such uses of the impounded waters for fish-culture stations and migratory-bird resting and nesting areas as are not inconsistent with the primary use of the waters and/or the constitutional rights of the States. In the case of any waters heretofore impounded by the United States, through the Bureau of Reclamation or otherwise, the Bureau of Fisheries and/or the Bureau of Biological Survey may consult with the Bureau of Reclamation or other governmental agency controlling the impounded waters, with a view to securing a greater biological use of the waters not inconsistent with their primary use and/or the constitutional rights of the States and make such proper uses thereof as are not inconsistent with the primary use of the waters and/or the constitutional rights of the States.

March 10, 1934. [S. 2529.] [Public, No. 121.]

Studies, reports, etc.,

Consultation with Fisheries Bureau as to fish conservation before any future dam construction.

(b) Hereafter, whenever any dam is authorized to be constructed, either by the Federal Government itself or by any private agency under Government permit, the Bureau of Fisheries shall be consulted, and before such construction is begun or permit granted, when deemed necessary, due and adequate provision, if economically practicable, shall be made for the migration of fish life from the upper to the lower and from the lower to the upper waters of said dam by means of fish lifts, ladders, or other devices.

Plans for improving wild life resources to be prepared.

Sec. 4. The Office of Indian Affairs, the Bureau of Fisheries, and the Bureau of Biological Survey are authorized, jointly, to prepare plans for the better protection of the wild-life resources, including fish, migratory waterfowl and upland game birds, game animals and fur-bearing animals, upon all the Indian reservations and unallotted Indian lands coming under the supervision of the Federal Government. When such plans have been prepared they shall be and Government. promulgated by the Secretary of the Interior, the Secretary of Commerce, and the Secretary of Agriculture, who are authorized to make the necessary regulations for enforcement thereof and from time to time to change, alter, or amend such regulations.

Promulgation

enforcement.

Studies of wild life, bureaus.

Cooperation of other

Proviso.Consent required.

Land, etc., donations

Provisos Subject to consent of State. Creating additional bureau, etc., forbidden.

SEC. 5. The Bureau of Biological Survey and the Bureau of etc., resources to be Fisheries are hereby authorized to make surveys of the wild-life resources of the public domain, or of any lands owned or leased by the Government, to conduct such investigations as may be necessary for the development of a program for the maintenance of an adequate supply of wild life in these areas, to establish thereon game farms and fish-cultural stations commensurate with the need for replenishing the supply of game and fur-bearing animals and fish, and, in cooperation with the National Park Service, The Forest Service, or other Federal agencies, the State agencies, to coordinate and establish adequate measures for wild-life control on such game farms and fish-cultural stations: Provided, That no such game farm shall hereafter be established in any State without the consent of the legislature of that State.

SEC. 6. In carrying out the provisions of this Act the Federal agencies charged with its enforcement may cooperate with other Federal agencies and with States, counties, municipalities, individuals, and public and private agencies, organizations, and institutions, and may accept donations of lands, funds, and other aids to the development of the program authorized in this Act: Provided, however, That no such donations of land shall be accepted without consent of the legislature of the State in which such land may be situated: Provided, That no authority is given in this Act for setting up any additional bureau or division in any department or commission, and shall not authorize any additional appropriation for carrying out its purposes.

Approved, March 10, 1934.

[CHAPTER 56.]

JOINT RESOLUTION

March 10, 1934. [H.J. Res. 290] [Pub. Res., No. 16.]

To provide an appropriation to carry into effect the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1934, and for other purposes", approved February 23, 1934.

Resolved by the Senate and House of Representatives of the Crop production and United States of America in Congress assembled, That to enable harvesting, 1934.

Appropriation for the Governor of the Farm Credit Administration to carry into effect Farm Credit Administration to carry into effect. the provisions of the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1934,

and for other purposes", approved February 23, 1934 (Public Act Numbered 97, Seventy-third Congress), including personal services ices. and rent in the District of Columbia and elsewhere; paper, printing and binding; supplies and services, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50, and such other expenses as may be necessary, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$40,000,000, to remain available until June 30, 1935.

Ante, p. 355. Supplies and serv-

R.S., sec. 3709, p. 733. U.S.C., p. 1309.

Availability.

Approved, March 10, 1934.

[CHAPTER 69.]

AN ACT

Making appropriations for the Navy Department and the naval service for the [H.R. 7199.] [Rublic, No. 122.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following and naval service, apsums are appropriated, out of any money in the Treasury not other-propriations for fiscal year, 1935. wise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1935, namely:

NAVAL ESTABLISHMENT

Naval Establish.

Secretary's office.

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

Miscellaneous ex-

For traveling expenses of civilian employees, including not to mense exceed \$1,500 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed \$2,000 for the part-time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts-martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigation, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed \$15,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); cost of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed \$3,780 in the aggregate or \$450 for any one person for allowances for living volume quarters, including heat, fuel, and light, as authorized by the Act publication and election of information; not to exceed \$170,000 collection and classification of information; not to exceed \$170,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; postage, foreign and domestic and post-office box rentals; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners

Courts-martial, etc.

Living quarters, etc. Vol. 46, p. 818. U.S.C. Supp. VII,

Damage claims. Vol. 41, p. 132.
U.S.C., p. 1127; Supp. for damages as provided in the Act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (U.S.C., title 34, sec. 600); and other necessary and incidental expenses; in all, \$862,280: Provided, That no part of any appropriation contained in this Act shall be available for the expense of any naval station, or naval operating base, unless the commandant of the naval district shall be also the commandant of one of such establishments: Provided further, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$489,000.

ployees.

CONTINGENT, NAVY

Contingent.

For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, \$15,000.

STATE MARINE SCHOOLS, ACT OF MARCH 4, 1911

State Marine Schools, Reimbursing Cali-fornia, Massachusetts, New York, and Penn-sylvania for expenses.

sels loaned.

To reimburse the State of California, \$25,000; the State of Massachusetts, \$25,000; the State of New York, \$25,000; and the State of Pennsylvania, \$25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, Vol. 36, p. 1353.
U.S.C., p. 1150.
Maintenance of ves. maintenance and repair of the particular vessels loaned by the United States to the said States on the date of the approval of this Act for use in connection with such State Marine Schools, \$89,407, and no other vessels shall be furnished by or through the Navy Department; in all, \$189,407.

Lepers, etc.

CARE OF LEPERS, AND SO FORTH, ISLAND OF GUAM

Care, etc., Culion, P.I.

Naval station, island of Guam: For maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, \$20,000; for educational purposes, \$15,000; in all, \$35,000.

Research laboratory.

NAVAL RESEARCH LABORATORY

Work of, for naval

Provisos. Temporary employment of scientists, etc.

For laboratory and research work and other necessary work of the naval research laboratory for the benefit of the naval service, including operation and maintenance of a laboratory, additions to equipment necessary properly to carry on work in hand, maintenance of buildings and grounds, temporary employment of such scientific civilian assistants as may become necessary, and subscriptions to technical periodicals, to be expended under the direction of the Secretary of the Navy, \$183,116: Provided, That \$20,000 of this appropriation shall be available for the temporary employment of civilian scientists and technicists required on special problems: Provided further, That the sum to be paid out of this appropriation for

employees assigned to Group IV (b) and those performing similar Group IV (b) employees. services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$85,000, in addition to the amount authorized by the preceding proviso.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary of the Navy to carry out the provisions contained in the Act approved June 4, 1920 (U.S.C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$59,603, of which amount not to exceed \$15,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided*, That out of any sums appropriated for naval purposes by this Act any portion thereof, not to exceed Reserve No. 1.

Provisos. Protecting work on \$10,000,000, shall be available to enable the Secretary of the Navy to protect Naval Petroleum Reserve Numbered 1 actains the Navy to tive order of September 2, 1912, pursuant to the Act of June 25, 1910 (U.S.C., title 43, secs. 141-143), by drilling wells and performing any work incident thereto, of which amount not to exceed \$100,000 ployees shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: Provided further, That no part of the sum Agreement with adjoining landowners not to drill offset wells. if a satisfactory agreement can be made with adjoining landowners to not drill offset wells for the purpose of producing oil.

Naval petroleum re-

Conservation, etc. Vol. 41, p. 813. U.S.C., p.1122; Supp. VII, p. 811.

Group IV (b) employees.

Vol. 36, p. 847. U.S.C., p. 1333.

Group IV (b) em-

BUREAU OF NAVIGATION

TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance and operation, including Mayal War College, maintenance, etc. repairs, improvements, and care of grounds; services of a professor of international law, \$2,000; services of lecturers, \$2,000; and other civilian services; library expenses, including the purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and including contingencies of the President of the Naval War College to be expended in his discretion not exceeding \$1,000; and for other necessary expenses, \$103,257;

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of maintenance, etc. grounds of the naval training stations which follow:

San Diego, California, \$155,150; Newport, Rhode Island, \$65,000; Great Lakes, Illinois, \$62,000; Norfolk, Virginia, \$215,950;

Fleet training: For trophies and badges for excellence in gun-relation from training sunnery, target practice, engineering exercises, and for economy in fuel consumption to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, \$35,229;

Bureau of Naviga-

Training, education, etc.

Training

Instruction.

Instruction: For postgraduate instruction of officers in other than civil government and literature, and for special instruction, education, and individual training of officers and enlisted men at home and abroad, including maintenance of students abroad, except aviation training and submarine training otherwise appropriated for, \$159,772;

Libraries.

Libraries: For libraries, professional books, textbooks, religious books, periodicals and newspaper subscriptions for ships and shore stations not otherwise appropriated for \$50,810;

Welfare and recreation.

Welfare and recreation: For welfare and recreation of the Navy including periodicals and newspaper subscriptions, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, \$255,000;

Naval Reserve Offi-cers' Training Corps, operation expenses. Vol. 43, p. 1276. U.S.C., p. 1137.

Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations as the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925 (43 Stat., p. 1276; U.S.C., title 34, sec. 821), \$74,314, of which \$20,000 shall be available immediately: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

Proviso. Uniforms, etc.

In all, training, education, and welfare, Navy, \$1,176,482: Provided, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services under native and alien schedules in the Schedule of Wages

etc.

Proviso.

Group
ployees.

Training, education,

for Civil Employees in the Field Service of the Navy Department, exclusive of temporary services, shall not exceed the following amounts, respectively: Naval War College, \$73,000; Naval Training Station, San Diego, \$7,500; Naval Training Station, Newport, \$10,000; Naval Training Station, Great Lakes, \$14,500; Naval Training Station, Norfolk, \$5,500; Instruction, \$25,000; Libraries, \$22,000.

Limitation.

CONTINGENT, BUREAU OF NAVIGATION

Contingent.

For continuous-service certificates, commissions, warrants, diplomas, discharges, good-conduct badges, and medals for men and boys; transportation of effects of deceased officers, nurses, and enlisted men of the Navy, and of officers and men of the Naval Reserve who die while on duty; packing boxes and materials; books and models; stationery; and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify, \$5,000.

INSTRUMENTS AND SUPPLIES, BUREAU OF NAVIGATION

Equipment, and supplies.

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; hire of launches or other small boats in Asiatic waters; quarantine expenses; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs

and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; and for the necessary civilian electricians for gyrocompass testing and inspection; in all, \$497,390: Provided, Provided, That the sum to be paid out of this appropriation for employees ployees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$33.460.

Proviso. Group IV (b) em-

OCEAN AND LAKE SURVEYS, BUREAU OF NAVIGATION

For hydrographic surveys, including the pay of the necessary veys. hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase of nautical books, charts, and sailing directions, \$52,910: Provided, That the sum to be paid out of this appropriation for employees assigned group IV (b) and those performing ployees similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$27,000.

Ocean and lake sur-

Proviso. Group IV (b) em-

NAVAL RESERVE

Naval Reserve.

Fleet Naval Reserve. Subsistence, etc.

Pay, mileage, etc.

Flight training.

Armories, wharfage, etc.

Group IV (b) em-

Naval Reserve and Naval Militia; pay and allowances of officers and tia. Organizing, recruit-naval Reserve when application of the Naval Reserve when applications. training duty; mileage for officers while traveling under orders to and from training duty; transportation of enlisted men to and from training duty, and subsistence and transfers en route, or cash in lieu thereof; subsistence of enlisted men during the actual period of training duty; subsistence of officers and enlisted men of the Fleet Naval Reserve while performing authorized training or other duty without pay; pay, mileage, and allowances of officers of the Naval Reserve and pay, allowances, and subsistence of enlisted men of the Naval Reserve when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve; pay of officers and enlisted men of the Fleet Naval Reserve for the performance of not to exceed forty-eight drills per annum or other equivalent instruction or duty, or appropriate duties, and administrative duties, exclusive, however, of pay, allowances, or other expenses on account of members of any class of the Naval Reserve incident to their being given flight training unless, as a condition precedent, they shall have been found by such agency as the Secretary of the Navy may designate physically and psychologically qualified to serve as pilots of naval aircraft, \$2.745,509, of which amount not more than \$150,000 shall be available for maintenance and rental of armories, including pay of necessary janitors, and for wharfage; not more than \$81,000 shall be available for employees assigned to group IV (b) and those ployees. performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department; not less than \$614,196 shall be available, in Aviation material, hangars, etc. addition to other appropriations, for aviation material, equipment, fuel, and rental of hangars, not more than \$397,914 shall be available, in addition to other appropriations, for fuel and the transportation thereof, and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve, and of such total sum \$978,491 shall be available exclusively for and on account of Naval and Marine Corps

408

Provisos. Reserve aviation: Provided, That no appropriation contained in this Act shall be available to pay more than one officer of the Naval Reserve and one officer of the Marine Corps Reserve above the grade of lieutenant or captain, respectively, the pay and allowances of their grade for the performance of active duty other than the performance of drills or other equivalent instruction or duty, or appropriate duties, and/or the performance of fifteen days' active training duty, and other officers above such grades employed on such class of active duty shall not be entitled to or be paid a greater rate of pay and allowances than authorized by law for a lieutenant of the Navy or a captain of the Marine Corps entitled to not exceeding ten years' Pay, etc., restrictions. longevity pay: Provided further, That no appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the Navyl or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States; and "retired pay" as here used shall not include the pay of transferred members of such reserve forces.

Naval Home.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

Personal services. Group IV (b) employees.

Maintenance.

For pay of employees, \$77,332: Provided, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$15,000;

Maintenance: For water rent, heating, and lighting; cemetery burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainments for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries and all other contingent expenses, including the maintenance, repair, and operation of two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle, to be used only for

Payable from naval pension fund.

official purposes, \$96,501;
In all, Naval Home, \$173,833, which sum shall be paid out of the income from the naval pension fund.

Bureau of Engineering.

BUREAU OF ENGINEERING

ENGINEERING

Engineering repairs, machinery, etc.

Equipment, supplies,

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats;

purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, accident prevention, pay of classified field force under the bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments, machines and auxiliaries, apparatus, and supplies, and technical books and periodicals necessary to carry on experimental and research work; maintenance and equipment of buildings and Annapolis, grounds at the engineering experiment station, Annapolis, Mary-station. land; payment of part time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed; in all, \$15,542,000: Provided, That the sum to be paid Proviso. Group IV (b) emout of this appropriation for employees assigned to group IV (b) ployees. and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,575,000.

Annapolis, Md., en-ineering experiment

BUREAU OF CONSTRUCTION AND REPAIR

Bureau of Construc-tion and Repair.

For preservation and completion of vessels on the stocks and in Construction and repair of vessels.

ordinary; purchase of materials and stores of all kinds; steam steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; accident prevention; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care and protection of the Navy in the line of construction and repair; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified field force under the bureau; services, instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work; for payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed; for the difference between inactive and active duty pay and allowances of members of the Fleet Naval Reserve transferred thereto after twenty years' naval service who may be employed as shipkeepers under the cognizance of the Bureau of Construction and Repair; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles or equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other material for making and repairing flags of all kinds; for all permanent galley fittings and equipage;

rugs, carpets, curtains, and hangings on board naval vessels,

Field force.

plovees.

Proviso.
Group IV (b) em. \$13,662,200: Provided, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedules of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,730,000.

Bureau of Ordnance.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, BUREAU OF ORDNANCE

Procuring, etc., ord-nance and ordnance stores.

For procuring, producing, preserving, and handling ordnance material, for the armament of ships; for the purchase and manu-facture of torpedoes and appliances; for the purchase and manufacture of smokeless powder; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy Classification of Accounts"; for machinery and machine tools; for accident prevention; for experimental work in connection with the development of ordnance material for the Navy; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed \$15,000 for minor improvements to buildings, grounds, and appurtenances of a character which can be performed by regular station labor; for payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy in his discretion at a rate of pay not exceeding \$20 per diem for any person so employed; for the maintenance, repair, and operation of horse-drawn and motorpropelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval schools at designated ammunition depots, and for care and operation of schools at ordations. nance stations at Indianhead, Maryland, Dahlgren, Virginia, and South Charleston, West Virginia, \$10,545,600: Provided, That the sum to be paid out of this appropriation for employees assigned to Group IV (b) and those performing similar services carried under Group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,262,500.

ployees.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay, etc., of the Navy. Officers. Post, p. 417.

Bureau of Supplies and Accounts.

Pay of naval personnel: For pay allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders (not to exceed nine hundred and eight officers of the Medical Corps, one hundred and eighty-six officers of the Dental Corps, five hundred and fifty-six officers of the Supply Corps, eighty-three officers of the Chaplain Corps, two hundred and thirty-three officers of the Construction Corps, one hundred and nine officers of the Civil Engineer Corps, and one thousand four hundred and sixty-one warrant and commissioned warrant officers: Provided, That if the number of warrant and commissioned warrant officers and officers in any staff corps holding commission on July 1, 1934, is in excess of the number herein stipulated, such excess officers may be retained in the Navy

Excess officers to be

carried.

until the number is reduced to the limitations imposed by this Act), pay—\$27,634,522, including not to exceed \$1,289,770 (none of which shall be available for increased pay for making aerial flights by Aerial flights by non-more than eight non-flying officers or observers except not to exceed flying officers. more than eight non-flying officers or observers, except not to exceed fifty-six gunnery observers, who, if above the rank of lieutenant, shall not be entitled to receive increased pay for making aerial flights at a rate in excess of \$1,440 per annum, all of such non-flying officers or observers to be selected by the Secretary of the Navy) for increased pay for making aerial flights; rental allowance, Rental, etc. allow-\$5,589,216; subsistence allowance, \$3,511,677; in all, \$36,735,415; officers on the retired list, \$6,003,774; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$3,000; pay of enlisted men on the retired list, \$4,631,886; interest on deposits by men, \$3,000; pay of petty officers (not to exceed an average of six thousand seven hundred and sixty chief petty officers, of which number those with a permanent appointment as chief petty officer shall not exceed an average of five thousand nine hundred and ten), seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay for men for diving, and cash prizes (not to exceed \$75,000) for men for excellence in gunnery, target practice, and engineering competitions, \$60,611,606, and, in addition, the Secretary of the Treasury is authorized and directed upon request of the Secretary of the Navy, to make transfers during the fiscal year 1935 from the clothing and small stores fund to this appropriation of sums aggregating not to exceed \$2,000,000; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, civilian clothing not to exceed \$15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water or air borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, \$878,194; pay of enlisted men undergoing sentence of court-martial, \$57,960, and as many machinists as the President may from time to time deem necessary to appoint; pay and allowances of the Nurse Corps, including assistant superintendents, directors and assistant directors—pay \$402,272, rental allowance \$15,552, subsistence allowance \$14,191; pay retired list \$121,361; in all \$553,376; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, \$10,573,590; reimbursement for losses of property as provided in the Act approved October 6, 1917 (U.S.C., title 34, secs. 981, 982), as amended by the Act of March 3, 1927 vii, p. 389; Vii. U.S.C., Supp. VI, title 34, sec. 983), \$5,000; payment of six months' death gratuity, \$90,000; in all \$120.146.801, and no part of six half. death gratuity, \$90,000; in all \$120,146,801, and no part of such sum shall be available to pay active duty pay and allowances to officers in excess of four on the retired list, except retired officers temporarry etc. ordered to active duty as members of retiring and selection boards as authorized by law: Provided, That during the fiscal year ending June 30, 1935, no officer of the Navy shall be entitled to receive an pay restriction.

Add to rear admiral; by the bis pay in consequence of the provisions of the Act U.S.C., p. 1139. addition to his pay in consequence of the provisions of the Act approved May 13, 1908 (U.S.C., title 34, sec. 867): Provided further, That, except for the public quarters occupied by the Chief of Office

Retired. Hire of quarters.

Enlisted men.

Outfits, clothing, etc.

Reimbursement.

Nurse Corps.

Fleet Naval Reserve.

Active duty pay, tc., retired officers,

Sales of meals to officers on shore duty.

Subsistence. Provisions, comm tation of rations, etc.

Detached duty. Naval Reserve.

Transportation.

Attendance at meetings.

Recruiting.

Pay and allowances of Naval Operations and messes temporarily set up on shore for offi-R.S. p. 1232, p. 217. cers attached to seagoing vessels, to aviation units based on sea-U.S.C., p. 192. going vessels, and to landing forces and expeditions, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed Voluntary, etc., ser- as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Naval Reserve without additional expense to the Government, nor

to the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;
Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion, upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 75 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 66 cents per Unavoidable ab- ration to the naval hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, \$13,408,072;

Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders, including not to exceed \$2,000 for the expenses of attendance at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; for mileage, at 5 cents per mile, to midshipmen, entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than \$2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders after appointment as midshipmen; for actual traveling expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their home, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu Apprehending de thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men, \$550,000; expenses of funeral escorts of naval personnel; actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of shore-patrol detachments; in all, \$3,885,119;

In all, for pay, subsistence, and transportation of naval personnel, immediately available. \$137,439,992, of which sum \$1,000,000 shall be immediately available, and the money herein specifically appropriated, or transferred from the clothing and small stores' fund to this appropriation as herein authorized, for "Pay, subsistence, and transportation of naval personnel", shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: Provided, That additional Additional commissioned, warranted, appointed, enlisted, and civilian personnel detail for Veterans' of the Medical Department of the Navy, required for the care of Administration patients of the United States Veterans' Administration in naval hoshospitals. of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Administration in naval hospitals, may be employed in addition to the numbers appropriated for in this Act: Provided further, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1934, would result in exceeding at any time an allowance of three midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Puerto Rico, a native of the island, appointed on nomination of the governor, and of three midshipmen from Puerto Rico, appointed on nomination of the Resident Commissioner; and of two midshipmen for the District of Columbia: Provided further, That nothing herein shall be conlarge or from enlisted strued to repeal or modify in any way existing laws relative to the men not affected. appointment of midshipmen at large, from the enlisted personnel of the naval service, or from the Naval Reserve: Provided further, That Sea service requirements of appointees no part of this appropriation shall be available for the pay of any from enlisted men. midshipman appointed from enlisted men of the Navy for admission to the Naval Academy in the class entering in the calendar year 1935 who has not served aboard a vessel of the Navy in full commission for at least nine months prior to such admission.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including stationery for commanding, executive, communication, and navigating officers of ships, boards and courts on ships, and chaplains; commissions, interest, and exchange; ferriage and bridge tolls; including street-car fares; rent of buildings and offices not in navy yards except for use of naval attachés and recruiting officers; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; freight, express, and parcel-post charges, including transportation of funds and cost of insurance on shipments of money when necessary, and ice for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), pertaining to the Navy Department and Naval Establishment, \$7,559,000: Prothe Navy Department and Naval Establishment, \$7,559,000: P_{TO} vided, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table lines dishes glassware silverware and on bitchen the supply of table lines dishes glassware silverware and on bitchen ment of table linen, dishes, glassware, silverware, and/or kitchen utensils for use in the residences or quarters of officers on shore: Provided further, That no appropriation contained in this Act shall be available for any expense for or incident to the transportation of water owned automobile available for any expense for or incident to the transportation of water owned automobile for any expense. privately owned automobiles except on account of the return to the United States of such privately owned automobiles as may have been transported to points outside of the continental limits of the United

Transporting de-pendents.

Funeral escorts.

Accounting, etc.

Restriction on admissions to Naval Academy after January 30, 1934,

Maintenance.

Freight, etc., Navy and Navy Department.

Transporting stely owned

Provisos.

Evacuation of high explosives.

Handling, transporting, etc., Hawthorne, Nev.

Vol. 45, p. 908. Balance conti available. Vol. 47, p. 1532. continued

Group IV (b) em States at public expense prior to July 1, 1932: Provided further, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages Use of certain respenditures; accounting.

Shall not exceed \$4,500,000: Provided further, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Clothing and small The clothing and small-stores fund shall be charged with the value stores funds.

Issue, to Naval Reof all issues of clothing and small stores made to enlisted men of the Naval Reserve and the uniform gratuity paid to officers of the Naval Reserve: Provided, That, in addition to the appropriation herein Printing and naval documents. made for the Office of Naval Records and Library, there is hereby appropriated \$10,000 to begin printing historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, except that the "usual number" for congressional distribution, depository libraries, and international exchanges shall not be printed, and no copies shall be available for Sale, by Superinten- free issue: Provided further, That the Superintendent of Documents is bereby sutherized to Turk the Superintendent of Documents is hereby authorized to sell copies at the prorated cost, including composition, clerical work of copying in the Navy Department and vol. 47, p. 490. U.S.C., Supp. VII, visions of section 307 of the Act approved June 30, 1932 (U.S.C., Supp. VI, title 44, sec. 72a).

EVACUATION OF HIGH EXPLOSIVES, NAVY

Toward the handling and transportation of high explosives to the naval ammunition depot, Hawthorne, Nevada, and other points, and expenses incident thereto, in accordance with the primary recommendations contained in House Document Numbered 199, Seventieth Congress, first session, as modified by the Second Deficiency Act, fiscal year 1928, approved May 29, 1928 (45 Stat., p. 908), the unexpended balance of the appropriation under this head for the fiscal year 1934 is continued available during the fiscal year 1935.

FUEL AND TRANSPORTATION, BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transporta-

Provisos.
Issue to be charged to applicable appropriation.

Prices for fuel on hand.

Restriction on use, etc., of foreign fuel oil.

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of transportation, storage, and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including the expense of transportation and storage of both, \$6,633,658: Provided, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: Provided further, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last issue rate for fuel acquired by purchase, when in his judgment, prices quoted for supplying fuel are excessive: Provided further, That no part of this appropriation shall be available, any provision in this Act to the contrary notwithstanding, for the purchase of any kind of fuel oil of foreign

production for issue, delivery, or sale to ships at points either in the United States or its possessions where oil of the production of the United States or its possessions may be procurable, notwithstanding that oil of the production of the United States or its possessions may cost more than oil of foreign production, if such excess of cost, in the opinion of the Secretary of the Navy, which shall be conclusive, be not unreasonable.

BUREAU OF MEDICINE AND SURGERY

Bureau of Medicine and Surgery.

MEDICAL DEPARTMENT

For surgeons' necessaries for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School and dispensary, Washington, and Naval Academy; for tolls and ferriages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, administrative, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs or nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for naval dispensary, Washington, District of Columbia, and of one motorpropelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical supply depots; rent of rooms for naval dispensary, Washington, District of Columbia, not to exceed \$1,200; for the care, maintenance, and treatment of the insane of the Navy and on Pacific Coast. Marine Corps on the Pacific coast, including supernumeraries held for transfer to Saint Elizabeths Hospital; for dental outfits and dental material; and all other necessary contingent expenses; in all, \$1.894,666: Provided, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing ployees.

Proviso.

Group IV (b) employees. similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$200,000.

Surgeons' necessaries. Civil establishments.

Vehicles, etc.

CARE OF THE DEAD

transportation to their homes or to designated cemeteries of the remains of officers (including officers who die million of the die million officers who die million office remains of officers (including officers who die within the United States) and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, reservists on active or training duty, and accepted applicants for enlistment, civilian employees of the Navy Civilian exploration of the Navy Listablishment who die outside of the continental limits of the United States, and former enlisted men who are discharged while in naval hospitals and are inmates of said hospitals on the date of their death; for funeral expenses and interment of the remains of pensioners and destitute patients who die in naval

Care of the dead.

employees

cluded.

hospitals; for purchase and care of cemetery lots; for removal of remains from abandoned cemeteries to naval or national cemeteries, or to their homes, including remains interred in isolated graves at home and abroad, and remains temporarily interred, \$68,000: Pro-Proviso. home and aproad, and remains temporary, income, the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided, That the above provision shall apply in the case of officers active duty in vided. and enlisted men of the Navy and Marine Corps on the retired list who die while on active duty.

Bureau of Yards and Docks.

BUREAU OF YARDS AND DOCKS

MAINTENANCE, BUREAU OF YARDS AND DOCKS

mainte-General nance.

Vehicles.

ployees

Limitation on opera-

more than \$500.

For the labor, materials, and supplies necessary, as determined by

the Secretary of the Navy, for the general maintenance of the activities and properties now or hereafter under the cognizance of the Bureau of Yards and Docks, including accident prevention; the maintenance, repair, and operation of passenger-carrying vehicles for the Navy Department (not to exceed ten in number) and the Group IV (b) em Naval Establishment not otherwise provided for; not to exceed \$1,600,000 for employees assigned to Group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and part time or intermittent employment in the District of Columbia, or elsewhere, of such engineers and architects as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed, \$6,459,250: Provided, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of civilian chauffeurs and the compensation of any greater number than ninety enlisted men detailed to such duty, shall not exceed in the aggregate \$70,000, exclusive of Marine Corps, with ontinental limits such vehicles owned and operated by the Marine Corps in connection excluded.

with expeditionary duty without the continental limits of the United with expeditionary duty without the continental limits of the United States and motorcycles, and on any one vehicle shall not exceed for maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel, and lubricants, one third of the market price of a new vehicle of the same make or class, and in any case not

CONTINGENT, BUREAU OF YARDS AND DOCKS

Contingent.

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, \$117,635.

Bureau of Aeronautics.

BUREAU OF AERONAUTICS

AVIATION, NAVY

Designated aviation expenses.

Aircraft factory, etc.

Helium.

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1934, \$672,152; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, \$10,066,800, including \$120,000 for the equipment of vessels with cataputs and including not to exceed \$100,000 for the procurement of helium, which sum

of \$100,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1934, and the bureau may lease, after competition, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed, \$1,773,368; for new construction and procurement of aircraft and equipment, spare parts and accessories. \$6,131,000, of which amount not to exceed \$2,400,000 shall be available for the payment of obligations incurred under the contract authorization carried in the Navy Appropriation Act for the fiscal year 1934; in all, \$18,643,320; and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: Provided, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar ployees. services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$971,200: Provided further, That in Contracts for new addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1936, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts, and accessories, to an amount not in excess of \$2,800,000: Provided travel expenses.

Sum transferred for further, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate \$24,000 from this appropriation to the appropriations "Pay, Subsistence, and Transportation, Navy,"

Ante, p. 410; Post, and "Pay, Marine Corps" to cover authorized traveling expenses p. 418. of officers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to station of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, Subsistence, and Transportation, Navy," and "Pay, Marine Corps": Provided further, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the continental United States: Provided further, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: Provided further, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of \$500.

NAVAL ACADEMY

Pay, Naval Academy: Pay for professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, \$238,410: Provided, That not more than \$33,300 Instructors in swordsmanship and physical training: Provided further, That no part of this appropriation shall be available for the pay of a civilian instructors at the printion shall be available for the pay of a civilian instructor at the Employment civilian instructors. Naval Academy not so employed on June 27, 1933, except that the Secretary of the Navy is authorized to employ eight additional civilian instructors.

Incurred obligations.

Accounting.

Provisos. Group IV (b) em-

Coast stations limited.

Naval Academy.

Employees.

For pay of employees, \$459,360: Provided, That the sum to be Group iv (b) empaid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$236,000. Current and miscellaneous expenses, Naval Academy: For text

Current, etc..

penses.

and reference books for use of instructors; stationery, blank books and forms, models, maps, newspapers, and periodicals; apparatus and materials for instruction in physical training and athletics;

Lectures, etc.

expenses of lectures and entertainments, not exceeding \$1,000, including pay and expenses of lecturer; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, materials for instruction purposes, and engraving of trophies and badges, \$66,800; for purchase, binding, and repair of books for the library (to be purchased in the open market on the written order

Library.

Board of Visitors.

of the superintendent), \$5,000; for expenses of the Board of Visitors to the Naval Academy, \$1,000; for contingencies for the superintendent of the academy, to be expended in his discretion, not exceeding \$3,500; for contingencies for the commandant of midshipmen, to be expended in his discretion, not exceeding \$1,000; in all, \$77,300, to be accounted for as one fund.

Maintenance and repairs.

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls inclosing the grounds of the Naval Academy, accident prevention, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and

other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor; adver-

Vehicles.

tising, water tax, postage, telephones, telegrams, tolls, and ferriage;

flags and awnings; packing boxes; pay of inspectors and draftsmen;

Proviso.
Group IV (b) em and music and astronomical instruments, \$774,716: Provided, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$23,000.

Marine Corps.

MARINE CORPS

PAY, MARINE CORPS

Pay, etc., officers on active list. Ante, p. 417.

Pay of officers, active list: For pay and allowances prescribed by law for all officers on the active list—pay and allowance, \$3,362,293, including not to exceed \$141,306, for increased pay for making aerial flights; subsistence allowance, \$469,097; rental allowance, \$605,197; in all, \$4,436,587; and no part of such sum shall be available to pay

Retired officers. Enlisted men, active

active-duty pay and allowances to officers on the retired list;
For pay of officers prescribed by law on the retired list, \$855,281;
Pay of enlisted men, active list: For pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps

traveling under orders, including not to exceed \$250 for the expenses of attendance upon meetings of technical, professional, scientific and other organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Marine Corps, and including additional compensation for enlisted men of the Marine Corps, qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, including interest on deposits by enlisted men, post-exchange debts of deserters and of men discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercises and target practice, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks both affoat and ashore, and for gratuities to enlisted men discharged not under honorable conditions—pay and allowances, \$6,735,710; allowance for lodging and subsistence, \$581,817; in all,

Pay and allowances.

For pay and allowances prescribed by law of enlisted men on the retired list, \$675,330;

Retired enlisted men.

Undrawn clothing: For payment to discharged enlisted men for

Undrawn clothing.

elothing undrawn, \$271,566; For pay and allowances of the Marine Corps Reserve (a) exclud-

Marine Corps Re-

ing transferred and assigned men, \$401,330; (b) transferred men, \$337,591; (c) assigned men, \$5,400; in all, \$744,321;

Mileage, etc.

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$90,000;

Accounting.

In all, \$14,390,612, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

PAY OF CIVIL EMPLOYEES, MARINE CORPS

Pay of civil force: For personal services in the District of Columbia, as follows:

Offices of the Major General Commandant and adjutant inspector, \$94,939;

Office of paymaster, \$40,651;

That the total number of enlisted men on duty at Marine Corps head-nisted men at headquar-quarters on May 7, 1930, shall not be increased, and in lieu of ters. Office of the quartermaster, \$105,920; in all, \$241,510: Provided, enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1935, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, either or both the appropriations "Pay, Marine Corps", and "General expenses, Marine Corps", shall be available.

Vacancies to be filled by civilians. Pay rates according to Classification Act. Vol. 42, p. 1488; Vol. 46, pp. 776, 1003. U.S.C., p. 65; Supp. VII, p. 34.

General expenses.

GENERAL EXPENSES, MARINE CORPS

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

Authorized work.

For provisions, subsistence, board and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment, cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, \$2,123,812;

Provisions, etc.

For clothing for enlisted men, \$460,322;

Clothing. Fuel, etc.

For fuel, heat, light, and power, including sales to officers, \$424,600;

Military supplies, etc. Purchase,

Prizes, badges, etc.

For military supplies and equipment, including their purchase, preserva- repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, \$472,330.

Transportation, etc.

Dependents.

Repairs, etc., to barracks, quarters, etc.

Forage, etc. Contingent.

Vehicles, etc.

Horses, etc.

Funeral expenses.

Marine Corps Re-

Accounting.

Alterations to naval

Modernizing "New Mexico", "Mississip-Mexico", "Miss pi", and "Idaho Vol. 46, p. 1453.

Proviso Group IV (b) em-

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and for transportation for dependents of officers and enlisted men, \$250,000;

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed \$10,000 during the year, \$340,000;

For forage and stabling of public animals and the authorized

number of officers' horses, \$25,000;

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of type-writers and calculating machines; purchase and repair of furniture and fixtures; repair of motor-propelled passenger-carrying vehicles; purchase of five motorcycles, at not to exceed \$295 each; and purchase, exchange, and repair of horse-drawn passenger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodieals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses, \$1,845,261;

Marine Corps Reserve: For clothing, subsistence, heat, light,

transportation, and miscellaneous expenses, \$75,000;

In all, \$6,016,325, to be accounted for as one fund: Provided, That Group IV (b) embloyees.

Group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$90,000.

ALTERATIONS TO NAVAL VESSELS

Toward the alterations and repairs required for the purpose of modernizing the United States ships New Mexico, Mississippi, and Idaho, authorized by the Act entitled "An Act to authorize alterations and repairs of certain naval vessels", approved February 28, 1931, \$470,400, to remain available until expended: Provided, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1935 for employees in field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$20,000.

INCREASE OF THE NAVY

Increase of the Navy.

Vol. 45, p. 1165.

Amount from naval supply account.

Construction and machinery: On account of hulls and outfits of machinery of vessels vessels and machinery of vessels heretofore authorized, including heretofore authorized. the commencement of one cruiser of subcategory (a) and three cruisers of subcategory (b), authorized by the Act approved February 13, 1929 (45 Stat. 1165), \$27,342,000, and, in addition, (1) the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to make transfers during the fiscal year 1935 from the naval supply account fund to this appropriation of sums aggregating not to exceed \$5,000,000, and (2) thereby reappropriated for the objects embraced by this paragraph sum from emergency construction fund. Vol. 47, p. 717. is nereby reappropriated for the objects embraced by this paragraph (a) \$1,450,000 of the appropriation "Public Works, Navy, Emergency Construction, Act July 21, 1932", contained in the Act entitled "An Act to relieve destitution, to broaden the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program", approved July 31, 1932, and (b) \$550,000 of the unexpended balances of the amounts berefore appropriated under the best of "Public of the amounts berefore appropriated under the best of "Public of the amounts berefore appropriated under the best of "Public of the amounts berefore appropriated under the best of "Public of the amounts berefore appropriated under the best of "Public of the amounts berefore appropriated under the best of "Public of the amounts berefore appropriated under the best of the amounts between the tenth of the amounts between the tenth of t approved July 31, 1932, and (b) \$550,000 of the unexpended balances of the amounts heretofore appropriated under the head of "Public Works, Bureau of Yards and Docks", and the total sums hereby made available shall remain available until expended: Provided the made available shall remain available until expended: Provided, the sum to be paid out of the amount available for expenditure under the head of "Construction and Machinery" for the fiscal year 1935 employees.

for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$465,000: Provided, That of the appropriations contained in this Act under the head of "Increase of the Navy", there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, including Technical services, purchase of plans, etc. the purchase of plans, and the employment of personnel in the Navy Department and in the field, in addition to those otherwise provided for, owing to the construction of vessels heretofore authorized and

herein or heretofore appropriated for in part.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels heretofore authorized, \$6,277,334,

Provised.

Provided. Provided. That the sum to be Group IV (b) emto remain available until expended: Provided, That the sum to be ployees. paid out of the amount available for expenditure under this head for the fiscal year 1935 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$175,000.

That in the expenditure of appropriations in this Act the Secre-purchase of foreign tary of the Navy shall, unless in his discretion the interest of the den. Government will not permit, purchase or contract for, within the limits of the United States, only articles of the growth, production, or manufacture of the United States, notwithstanding that such articles of the growth, production, or manufacture of the United States may cost more, if such excess of cost be not unreasonable.

The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipfor letters patent, etc. ment or material shall be available for the purchase of letters patent,

applications for letters patent, licenses under letters patent, and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

Department use limited.

Proviso Construction, etc., of first and alternate cruisers at Government yards, factories, etc., required.
Vol. 45, p. 1165.

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: Provided, That there may be detailed to the Provises.
Details to Navigation Bureau.
Designated not regarded as Department detail.

Provises.
Details to Navigation not to exceed at any one time six enlisted men bureau of Navigation not to exceed at any one time six enlisted men of the Navy: Provided further, That enlisted men detailed to the naval dispensary and the radio communication service shall not be naval dispensary and the radio communication service of regarded as detailed to the Navy Department in the District of Columbia.

No pay to officer, using time-measuring device on work of employee.

No pay to officer, want time-measuring device on work of employee.

No pay to officer, want time-measuring device on work of employee.

No pay to officer, manager, superintendent, fore-man or other person or payons having a large of the salary or payons have a large o man, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations Cash rewards, etc., made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the Repair, equipment, repair, purchase, or acquirement, by or from any private contractor, etc., at other than navy yards, etc., restricted. of any naval vessel, machinery, article or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government: *Provided*, That nothing herein shall be construed as altering or repealing the proviso contained in section 1 of the Act to authorize the construction of certain naval vessels, approved February 13, 1929, which provides that the first and each succeeding alternate cruiser upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States. except such material or parts as are not customarily manufactured in such Government plants.

Navy Department.

NAVY DEPARTMENT

Salaries.

SALARIES

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistant, and civilian personnel in offices, etc., designated.

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, \$154,800. General board, \$11,304.

Naval examining and retiring boards, \$9,540.

Compensation board, \$6,156.

Office of Naval Records and Library, including employees engaged in the collection or copying and classification, with a view to publication, of the naval records of the war with the Central Powers of Europe, \$30,672.

Office of Judge Advocate General, \$104,940. Office of Chief of Naval Operations, \$61,830.

Board of Inspection and Survey, \$15,516.

Office of Director of Naval Communications, \$108,720.

Office of Naval Intelligence, \$32,760.

Bureau of Navigation, \$407,943. Hydrographic Office, \$337,356.

Naval Observatory, including \$2,500 for pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, \$149,994.

Bureau of Engineering, \$268,470.

Bureau of Construction and Repair, \$312,670.

Bureau of Ordnance, \$134,703.

Bureau of Supplies and Accounts, \$683,670.

Bureau of Medicine and Surgery, \$69,048. Bureau of Yards and Docks, \$251,450. Bureau of Aeronautics, \$237,078.

In all, salaries, Navy Department, \$3,388,620.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the Classification Act. District of Columbia in accordance with the Classification Act of v.s.c., Supp. vII, p. 1923, as amended, with the exception of the Assistant Secretaries of 34. the Navy, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-plicable to derical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1 1004. person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office or other appropriation unit. (4) to provide the service.

No reduction in fixed salaries.

Vol. 42, p. 1490.

Transfers to another position without reduction. different bureau, office or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the max-higher rates permitted. imum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized in a grade. If only one position by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

CONTINGENT EXPENSES

For professional and technical books and periodicals, law books, Department continand necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers World War. of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor delivery wagons, maintenance, repair, and operation of motor trucks or motor delivery wagons; garage rent; street-car fares not exceeding \$500; freight, expressage, postage, typewriters, and computing machines, and other absolutely necessary expenses of the shall not be lawful to expend, unless otherwise specifically provided for department exherein, for any of the offices or bureaus of the Naval service appropriations not to be used for department exherein, for any of the offices or bureaus of the Naval service appropriations not to be used for department exherein. Navy Department and its various bureaus and offices, \$75,000; it herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for

73d CONGRESS. SESS. II. CH. 69. MARCH 15, 1934.

the naval service for any of the purposes mentioned or authorized in this paragraph.

Printing and binding.

PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, \$375,000, including not exceeding \$85,000 for the Hydrographic Office and \$2,800 for the Naval Reserve Officers' Training Corps.

Hydrographic Office.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

Contingent and miscellaneous expenses.

For purchase and printing of nautical books, charts, and sailing directions, copperplates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copperplates, cleaning copperplates; tools, instruments, power, and material for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; purchase of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; modernization, care and repair to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; preparation of pilot charts and their supplements, and printing and mailing same; purchase of data for charts and sailing directions and other nautical publications; books of reference and works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, \$62,000.

Pilot charts.

Branch offices.

BRANCH HYDROGRAPHIC OFFICES

Contingent expenses.

For contingent expenses of branch hydrographic offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oregon), Portland (Maine), Chicago, Cleveland, Detroit, Buffalo, Duluth, Sault Sainte Marie, Seattle, Panama, San Juan (Puerto Rico), Los Angeles, Honolulu, and Galveston, including furniture, fuel, lights, works, and periodicals, relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, car fare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for pilot charts, and for other purposes for which the offices were established, \$13,180.

Employees.

For services of necessary employees at branch offices, \$40,014.

Naval Observatory.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

Library, apparatus, repairs, etc.

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; for apparatus and instruments, and for repairs of the same; for repairs to buildings (including quarters), fixtures, and fences; for cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; for fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; purchase and maintenance of teams;

maintenance, repair, and operation of motor trucks and passenger automobiles, and of horse-drawn vehicles; telegraph and telephone

service; and other absolutely necessary expenses, \$20,000.

SEC. 2. No part of any money appropriated by this Act shall be automobiles. used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the trans-tween portation of officers and employees between their domiciles and places place of employment of employment except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on out-patient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Approved, March 15, 1934.

Exemptions.

Use restricted to offi-

Transportation

[CHAPTER 70.1

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1935, and for other purposes

[Public, No. 123]

Be it enacted by the Senate and House of Representatives of the office Departments Appropriation Act, 1935.

Treasury and Post Office Departments Appropriation Act, 1935. United States of America in Congress assembled,

TITLE I—TREASURY DEPARTMENT

Title I—Treasury Department.

That the following sums are appropriated, out of any money in the Appropriations fiscal year, 1935. Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1935, namely:

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of the Treasury, Under Secretary of the Secretary, Assistants, and other personal services in the District of Columbia, \$150,000: Provided, Salaries limited to Salaries limited to average rates under contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of U.S.C., p. 66; Supp. 1923, as amended, with the exception of the Assistant Secretaries of the Treasury the average of the salaries of the total number of the Treasury the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriations unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: Provided, rates specified for the grade by such Act, as amended: Provided,
That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of
the clerical-mechanical service, or (2) to require the reduction in
salary of any person whose compensation was fixed, as of July 1,
salaries.

1924, in accordance with the rules of section 6 of such Act, (3) to
require the reduction in salary of any person who is transferred from
one position to another position in the same or different grade in
the same or a different bureau, office, or other appropriation unit,
(4) to prevent the payment of a salary under any grade at a rate
higher than the maximum rate of the grade when such higher rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is

If only one position specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Solicitor's office.

OFFICE OF SOLICITOR OF THE TREASURY

Solicitor, and office personnel.

Salaries: For the Solicitor, and other personal services in the District of Columbia, \$27,900.

Custody, etc.

Lands and other property of the United States: For custody, care, protection, and expenses of sales of lands and other property of the United States, acquired and held under sections 3749 and 3750 of the Revised Statutes (U.S.C., title 40, secs. 301, 302), the examination of titles, recording of deeds, advertising, and auctioneers' fees in

lands. R.S., secs. 3749, 3750, p. 739. U.S.C., p. 1305.

connection therewith, \$500.

Chief clerk's office.

OFFICE OF CHIEF CLERK AND SUPERINTENDENT

Chief clerk, and office personnel.

Salaries: For the chief clerk, who shall be the chief executive officer of the Department and who may be designated by the Secretary of the Treasury to sign official papers and documents during the temporary absence of the Secretary, Under Secretary, and Assistant Secretaries of the Department, and for other personal services in the District of Columbia, including the operating force of the Treasury, Liberty Loan, and Auditors' Buildings and the Treasury Department Annex, Pennsylvania Avenue and Madison Place, and of other buildings under the control of the Treasury Department, \$459,000.

Operating force, department buildings.

CONTINGENT EXPENSES, TREASURY DEPARTMENT

books, etc. Freight, etc. Motor vehicles.

Fuel, etc.

Furniture, etc.

Other funds available

Vol. 37, p. 414. U.S.C., p. 1019.

Department contingent expenses.

For miscellaneous and contingent expenses of the office of the Operating expenses, Secretary and the bureaus and offices of the Department, including department buildings.

Operating expenses of the Treasury Treasury Appear Auditors' and operating expenses of the Treasury, Treasury Annex, Auditors' and Periodicals, reference Liberty Loan Buildings; newspaper clippings, financial journals, law books, and other books of reference; freight, expressage, telegraph and telephone service; purchase and exchange of motor trucks, and one passenger automobile (at a cost not exceeding \$2,500) for the Secretary of the Treasury, and maintenance and repair of motor trucks and two passenger automobiles (one for the Secretary of the Treasury and one for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies for same; floor covering and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; ammonia for ice plant; flags; hand trucks, ladders; miscellaneous hardware; street-car fares not exceeding \$500; thermometers: lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish, postage, and other absolutely necessary articles, supplies, and equipment not otherwise provided for; \$126,160, of which \$2,500 shall be immediately available: *Provided*, That the appropriations for the Public Debt Service and Internal Revenue Service for the fiscal year 1935 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (U.S.C., title 31, sec. 669), to the contrary notwithstanding.

DIVISION OF SUPPLY

Salaries: For the Chief, Division of Supply, and other personal services in the District of Columbia, \$156,600.

Printing and binding: For printing and binding for the Treasury Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, including materials for the use of the bookbinder located in the Treasury Department, but not including work done at the New York customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (U.S.C., title 44, sec. 111), \$525,000.

Stationery: For stationery for the Treasury Department and its several bureaus and offices, and field services thereof, including tags, labels, and index cards, printed in the course of manufacture, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices, \$275,000.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

For Commissioner of Accounts and Deposits and other personal services in the District of Columbia, \$113,040.

For books of reference, law books, books on finance, technical and scientific books, newspapers, and periodicals, for expenses incurred in completing imperfect series, for library cards, supplies, and for all other necessary expenses, \$1,000.

DIVISION OF BOOKKEEPING AND WARRANTS

For the chief of the division, and other personal services in the District of Columbia, \$150,390.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (U.S.C., title 31, sec. 545), for the collection, safe-keeping, transfer, U.S.C., p. 1010. and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, salaries of special agents, actual expenses of examiners detailed to examine the books, positories. accounts and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649 of the Revised Statutes (U.S.C., title 31, sec. 548), also including examinations of cash accounts at mints and cost of insurance on shipments of money by registered mail when necessary, \$150,000.

Recoinage of minor coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$65,000.

PUBLIC DEBT SERVICE

For necessary expenses connected with the administration of any commissioner, perpublic debt issues and United States paper currency issues with ices. which the Secretary of the Treasury is charged, including the purchase of law books, directories, books of reference, pamphlets, periodicals, and newspapers, and including the Commissioner of the Public Debt and other personal services in the District of Columbia, \$1.892,500: Provided, That the amount to be expended in the District. for personal services in the District of Columbia shall not exceed

Division of Supply.

Chief, and other per-sonal services.

Printing and binding.

Work excluded. Vol. 40, p. 1270. U.S.C., p. 1421.

Stationery.

Accounts and Deposits Office.

Commissioner, and office personnel.

Bookkeeping and Warrants Division. Chief, and office personnel.

Contingent expenses, public moneys.
R.S., sec. 3653, p.

Examination of de-R.S., sec. 3649, p. 718. U.S.C., p. 1010.

Recoinage of minor coins.

Public Debt Service.

Reference books, etc.

Vol. 40, p. 292. U.S.C., p. 1027.

Restriction on use of \$1,867,500: Provided further, That the indefinite appropriation indefinite appropriation. "Expenses of loans, Act of September 24, 1917, as amended and Vol. 40, p. 292. extended" (U.S.C., title 31, secs. 760, 761), shall not be used during the fiscal year 1935 to supplement the appropriation herein made for the current work of the Public Debt Service.

Distinctive paper for

Distinctive paper for United States securities: For distinctive Quantity authorized paper for United States currency, national-bank currency, and Federal Reserve bank currency, not exceeding two million pounds, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees, and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding \$50 per month each when actually on duty; in all, \$462,772: Provided, That no part of this appropriation shall be expended for the purchase of such paper at a price per pound in excess of 321/4 cents: Provided further, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1935 between the two bidders whose prices per pound are the lowest received after advertisement, but not in excess of the price fixed herein.

Provisos.
Price limitation.
Division of awards.

Addition to cumula-tive sinking fund. Vol. 47, p. 724.

Vol. 40, p. 1311.

Public Works construction. Vol. 47, pp. 716, 720.

Addition to cumulative sinking fund (section 308 of Emergency Relief and Construction Act of 1932): To carry into effect the provisions of section 308 of the Emergency Relief and Construction Act of 1932, approved July 21, 1932 (47 Stat., p. 709), there is hereby appropriated for each fiscal year beginning with the fiscal year 1935, out of any money in the Treasury not otherwise appropriated, for the purposes of the cumulative sinking fund provided in section 6 of the Victory Liberty Loan Act, as amended, in addition to amounts otherwise appropriated, a sum equal to 2½ per centum of the aggregate of the expenditures on or after June 30, 1933, from appropriations made or authorized in sections 301 and 302, title III, of the Emergency Relief and Construction Act of 1932.

Appointments Division.

DIVISION OF APPOINTMENTS

Chief, and office personnel.

Salaries: For the chief of the division, and other personal services in the District of Columbia, \$39,492.

OFFICE OF DISBURSING CLERK

Disbursing clerk, and office personnel.

Salaries: For the disbursing clerk and other personal services in the District of Columbia, \$47,610.

Customs Bureau.

revenue.

BUREAU OF CUSTOMS

Collecting customs

Collecting the revenue from customs: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed \$25,000 for the securing of evi-Transfer of receipts dence of violations of the customs laws, for expenses of transpor-fovernment depositation and transfer of customs receipts from points where there are Living quarters, al-lowances, etc. Vol 46, p. 818 U.S.C., Supp. VII, p. 20. Vehicles, newspapers, the hire of motor-propelled passenger-carrying vehicles, not to exceed \$500 for subscriptions to newspapers, and including the purchase (not to exceed \$25,000), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work, \$18,500,000, of which such

amount as may be necessary shall be available for the cost of seizure, Seizures, under customs laws. storage and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, and \$401,562 shall be available for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930: Provided, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in the District of Columbia striction.

Services in the District Field details. Field details. Wold 46, p. 741. Motor vehicle repassenger-carrying vehicles for use in the District of Columbia striction. except one for use in connection with the work of the customhouse in Georgetown.

Services in the Dis-

BUREAU OF THE BUDGET

necessary expenses of the Bureau, including compensation of attorneys and other employees in the District of Columnia and other expenses. neys and other employees in the District of Columbia; contract stenographic reporting services, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, traveling expenses, street-car fares; \$139,851.

Bureau of the Budg-

For printing and binding, \$32,000.

Printing and binding.

OFFICE OF TREASURER OF THE UNITED STATES

Salaries: For Treasurer of the United States, Assistant Treasurer, Treasurer, Assistant, and office personnel. and for other personal services in the District of Columbia,

For personal services in the District of Columbia, in redeeming Redeeming Reserve and national currency, \$294,300, to be reimbursed currency. by the Federal Reserve and national banks.

Treasurer's office.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

Salaries: Comptroller of the Currency and other personal serv- Comptroll fice personal

ices in the District of Columbia, \$211,050.

For personal services in the District of Columbia in connection Personal services; reimbursable. with Federal Reserve and national currency, \$46,152, to be reimbursed by the Federal Reserve and national banks.

Office of Comptroller of the Currency.

Comptroller, and of-

BUREAU OF INTERNAL REVENUE

three deputy commissioners, one stamp agent (to be reimbursed by the stump manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, clerks, janitors, and messengers in the District of Columbia, the several collection districts, and the several divisions of internalrevenue agents, to be appointed as provided by law, telegraph and telephone service, rental of quarters outside the District of Columbia, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services, and the purchase of such supplies, equipment, furniture, mechanical devices, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia, the several collection districts, and the several divisions of internal-revenue agents,

Internal Bureau. Revenue

Outside rent. Miscellaneous. Provisos. Witness fees.

Detection and prose-cution of revenue law violations.

Refunding taxes.

Proviso.
Detailed report to Congress. Vol. 45, p. 996.

Industrial Alcohol Bureau.

Salaries and expenses. Vol. 41, p. 305; Vol. 42, p. 222; Vol. 44, p. 1381; Vol. 46, p. 430. U.S.C., p. 853; Supp. VII, pp. 27, 712.

Ante, p. 16.

Securing evidence. Chemical analyses.

Vehicles.

Services in the District

Distilled spirits may be removed to ware-house for bottling in

Services in the Dis-\$27,450,520, of which amount not to exceed \$7,547,202 may be expended for personal services in the District of Columbia: Provided, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpensed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": Provided further, That not more than \$100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal revenue laws or conniving at the same, including payments for information and detection of such violation.

Refunding taxes illegally or erroneously collected: For refunding taxes illegally or erroneously collected, as provided by law, including the payment of claims for the fiscal year 1935 and prior years, \$40,000,000: Provided, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of U.S.C., Supp. VII, p. the Act of May 29, 1928 (U.S.C., Supp. VI, title 26, sec. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

BUREAU OF INDUSTRIAL ALCOHOL

Salaries and expenses: For expenses to administer the applicable provisions of the National Prohibition Act as amended and supplemented (U.S.C., title 27) and internal revenue laws, pursuant to the Act of March 3, 1927 (U.S.C., Supp. VI, title 5, secs. 281–281e), and the Act of May 27, 1930 (U.S.C., Supp. VI, title 27, secs. 103–108), and the provisions of the Act of March 22, 1933 (48 Stat., 16), as amended, and the "Liquor Taxing Act of 1934," approved January 11, 1934, including the employment of executive officers, attorneys, inspectors, chemists, assistant chemists, supervisors, storekeeper-gaugers, clerks, messengers, and other necessary employees in the field and in the Bureau of Industrial Alcohol in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the Acts; the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; the purchase of such supplies, equipment, mechanical devices, laboratory supplies, books, and such other expenditures as may be necessary in the several field offices; cost of acquisition and maintenance of automobiles delivered to the Secretary of the Treasury for use in administration of the law under his jurisdiction; hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use in field work; and for rental of necessary quarters; in all, \$4.086,974, of which amount not to exceed \$280,119 may be expended for personal services in the District of Columbia: *Provided*, That for purpose of concentration, upon the initiation of the Commissioner of Industrial Alcohol and under regulations prescribed by him, distilled spirits may be removed from any internal-revenue bonded warehouse to any other such warehouse, and may be bottled in bond in any such warehouse before or after payment of the tax, and the commissioner shall prescribe the form and penal sum of bond covering distilled spirits in internal-revenue bonded warehouses and in transit between such warehouses.

BUREAU OF NARCOTICS

Salaries and expenses: For expenses to enforce the Act of December 17, 1914 (U.S.C., title 26, sec. 211), as amended by the Revenue Vol. 38, p. 785; Vol. Act of 1918 (U.S.C., title 26, secs. 691–708), the Act approved 40, p. 1130; Vol. 35, p. 614; Vol. 42, p. 596.

Eshaviory 0 1909 as amended by the Act of May 26, 1922 (U.S.C., pp. 635, 742, Act of 1918 (U.S.C., title 20, secs. 051-100), and 1918 (U.S.C., pp. 635, 742, February 9, 1909, as amended by the Act of May 26, 1922 (U.S.C., 785, 785, 785, 785). In part and 1918 (Vol. 44, p. 1381; Vol. 1918). title 21, secs. 171–184), known as the Narcotic Drugs Import and Export Act, pursuant to the Act of March 3, 1927 (U.S.C., Supp. VI, title 5, secs. 281–281e), and the Act of June 14, 1930 (U.S.C., Supp. VI, title 5, secs. 282–282c), including the employment of executive officers, attorneys, agents, inspectors, chemists, superstanding the errors. clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of evidence of violations of the Acts; the costs of chemical analyses made by others Chemical analyses. than employees of the United States; the purchase of such supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal revenue laws when the same is disposed of under section 3460, Revised Statutes (U.S.C., title 26, sec. 1193); hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; and for rental of necessary quarters; in all, \$1,244,899, of which amount not to exceed \$183,942 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury trict of Columbia: Provided, That the Secretary of the Use of Interest may authorize the use by narcotic agents of motor vehicles confisions of the Act of March 3, 1925 (U.S.C., Vol. 43, p. 1116. U.S.C., p. 858. title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof: Provided further, That formation. not exceeding \$10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith and not exceeding \$1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics and subsequently recovered shall be deposited in the Treasury to the credit of the appropriation for enforcement of the narcotic Acts current at the time of the deposit.

COAST GUARD

Office of the commandant: For personal services in the District of Columbia, \$300,000.

The services of skilled draftsmen and such other technical services as the Secretary of the Treasury may deem necessary may be employed only in the office of the Coast Guard in connection with the construction and repair of Coast Guard vessels and boats, to be paid from the appropriation "Repairs to Coast Guard vessels": Provided, That the expenditures on this account for the fiscal year 1935 shall not exceed \$10,890. A statement of the persons employed hereunder, their duties, and the compensation paid to each shall be made to Congress each year in the Budget.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, including the expense of maintenance, repair, and operation of vessels forfeited to the United States and delivered to the Treasury Department under the terms of the Act approved March 3, 1925 (U.S.C., title 27, sec. 41), and the mainte-

Narcotics Bureau.

Salaries and expenses.

46, p. 585. U.S.C., Supp. VII, p.

Seizures, etc.

R.S., sec. 3460, p. 685. U.S.O., p. 846.

Provisos. Use of forfeited ve-

Coast Guard.

Office personnel.

Technical services.

Proviso. Limitation. Report to Congress.

Service expenditures.

Vol. 43, p. 1116. U.S.C., p. 858.

nance, repair, and operation of two motor-propelled passengercarrying vehicles, to be used only for official purposes in the field,

Pay, etc., officers and enlisted men.

Cash prizes.

Death allowance. Vol. 41, p. 824. U.S.C., p. 1143.

Traveling expenses.

Fuel, water, etc.

Outfits, stores, etc.

Stations, houses of refuge, etc.

Coastal communication.

Civilian field employees.

Contingent expenses. Custody of prisoners.

as follows:

For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and two civilian instructors, and not exceeding \$6,000 for cash prizes for men for excellence in gunnery, target practice, and engineering competitions, for carrying out the provisions of the Act of June 4, 1920 (U.S.C., title 34, sec. 943), rations or commutation thereof for cadets, petty officers, and other enlisted men, mileage and expenses allowed by law for officers; and traveling expenses for other persons traveling on duty under orders from the Treasury Department, including transportation of enlisted men and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof, expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; transportation and packing allowances for baggage or household effects of commissioned officers, warrant officers, and enlisted men, \$14,224,608;

For fuel, lubricating oil, kerosene, and water for vessels, stations,

and houses of refuge, \$1,134,600;

For outfits, including repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, \$1,074,057;

For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, \$145,530; For coastal communication lines and facilities and their mainte-

nance, and communication service, \$109,574;

For compensation of civilian employees in the field, including

clerks to district commanders, \$88,942;

For contingent expenses, including subsistence of shipwrecked and destitute persons succored by the Coast Guard and of prisoners while in the custody of the Coast Guard; for the recreation, amusement, comfort, contentment, and health of the enlisted men of the Coast Guard, to be expended in the discretion of the Secretary of the Treasury, not exceeding \$40,000; instruments and apparatus, supplies, technical books and periodicals, services necessary to the carrying on of scientific investigation, and not exceeding \$4,000 for experimental and research work; care, transportation, and burial of deceased officers and enlisted men, including those who die in Government hospitals; wharfage, towage, freight, storage, advertising, surveys, medals, labor, newspapers, and periodicals for statistical purposes, and all other necessary expenses which are not included under any other headings, \$173,795;
For repairs to Coast Guard vessels and boats, \$1,000,000;

Life Saving Service. For retired pay for certain members of the former Life-Saving Service authorized by the Act entitled "An Act providing for retired pay for certain members of the former Life-Saving Service authorized by the Act entitled "An Act providing for retired pay for certain members of the former Life-Saving Service." lent to compensation granted to members of the Coast Guard" U.S.C. Supp. VII, p. approved April 14, 1930 (U.S.C., Supp. VI, title 14, sec. 178a), \$95,294;

Total, Coast Guard, exclusive of commandant's office, \$18,046,400.

Engraving and Printing Bureau.

Work authorized for

fiscal year, 1935.

BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1935, of not exceeding 51,000,000 delivered sheets of United States currency and national-bank currency, 97,175,283 delivered sheets of internal-revenue stamps including opium orders and special-tax stamps required under the Act of December 17, 1914 (U.S.C., title 26, sec. 211), 509,723 delivered sheets of withdrawal permits, and 10,438,121 delivered sheets of checks, drafts,

and miscellaneous work, as follows:

For the director, two assistant directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; for engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency, nationalbank currency and Federal Reserve bank currency; equipment of, repairs to, and maintenance of buildings and grounds and for minor alterations to buildings; directories, technical books and periodicals, and books of reference, not exceeding \$300; rent of warehouse in the District of Columbia; traveling expenses not to exceed \$2,000; equipment, maintenance, and supplies for the emergency room for the use of all employees in the Bureau of Engraving and Printing who may be taken suddenly ill or receive injury while on duty; miscellaneous expenses, including not to exceed \$1,500 for articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees; for transfer to the Bureau of Standards for scientific investigations in connection with the tions work of the Bureau of Engraving and Printing, not to exceed \$15,000; and for the maintenance and driving of two motor-propelled

passenger-carrying vehicles; \$4,568,060, to be expended under the direction of the Secretary of the Treasury.

During the fiscal year 1935 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous register as a provided by covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (U.S.C., title 31, sec. 176), shall be credited when received to the appropriation for said Bureau for the

fiscal year 1935.

SECRET SERVICE DIVISION

Salaries: For the chief of the division and other personal services Chief, and office per-

in the District of Columbia, \$34,146.

Suppressing counterfeiting and other crimes: For expenses Suppressing counter-feiting, etc. incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of

Vol. 38, p. 786. U.S.C., p. 742, 786.

Director, assistants and office personnel. Wages.

Materials, etc.

Books of reference.

Emergency room.

Miscellaneous ev.

Scientific investiga-

Vehicles.

Proceeds of work to be credited to Bureau.

Vol. 24, p. 227. U.S.C., p. 986.

Secret Service Division.

Protecting the Presi-

Provisos.
Witness' fees.

the United States, \$554,294: Provided, That no part of this amount shall be used in defraying the expenses of any person subpensed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": Provided further, That of the amount herein appropriated, not to exceed \$10,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or

Violations of laws relating to the Treas-ury Department, etc.

information looking toward the apprehension of criminals.

White House police: Captain, lieutenant, three sergeants, and for forty-three privates, at rates of pay provided by law; in all, \$103,950.

Uniforms and equipment.

White House police,

For uniforming and equipping the White House police, including the purchase, issue, and repair of revolvers and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, \$3,000.

Public Health Serv-

Office personnel.

Pay allowance, etc., Surgeon General, officers, etc.

Acting assistant surgeons.

Other employees.

Freight, transportation, etc.

Vol. 46, p. 818. U.S.C., Supp. VII. p.

Proriso. Transporting remains of officers.

National Institute of Health. Books.

Medical examina-

Services in the Dis-General expenses.

PUBLIC HEALTH SERVICE

Salaries, office of Surgeon General: For personal services in the District of Columbia, \$274,113.

For pay, allowance, and commutation of quarters for regular commissioned medical officers, including the Surgeon General and assistant surgeons general and for other regular commissioned officers, \$1,397,606.

For pay of acting assistant surgeons (noncommissioned medical officers), \$270,000.

For pay of all other employees (attendants, and so forth), \$877,500.

For freight, transportation, and traveling expenses, including allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), not to exceed \$2,160 but not to exceed \$720 for any one person; the expenses, except membership fees, of officers when officially detailed to attend meetings of associations for the promotion of public health, and the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service, upon permanent change of station, \$25,160: Provided, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty.

For maintaining the National Institute of Health, \$50,000.

For journals and scientific books, office of Surgeon General, \$450. For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the Act of February 5, 1917 (U.S.C., title 8, sec. 152), medical, surgical, and hospital services and supplies, including prosthetic and orthopedic supplies to be furnished under regulations approved by the Secretary of the Treasury, for beneficiaries (other than patients of the Veterans' Administration) of the Public Health Service and persons detained in hospitals of the Public Health Service under the immigration laws and regulations, including necessary personnel and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, including the furnishing and laundering of white duck coats, trousers, smocks, aprons, and caps to employees whose duties make

necessary the wearing of same, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, the maintenance, exchange, and operation of motor trucks and passenger motor vehicles for official use in field work (including not to exceed \$3,000 for the purchase of motor-propelled passengercarrying vehicles) and one for use in connection with the administrative work of the Puble 1 Health Service in the District of Columbia, purchase of ambulances, transportation, care, maintenance, and treatment of lepers, including transportation to their homes in the continental United States of recovered indigent leper patients, court costs, and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding \$100 for any patient dying in hospital), \$4,915,000: Provided, That the Immigration Service shall Provises. Use of Ellis Island permit the Public Health Service to use the hospitals at Ellis Island hospitals. Immigration Station for the care of Public Health Service patients free of expense for physical upkeep, but with a charge of actual cost of fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and money collected by the Immigration Service on account of hos- Receipts to be covered into Treasury. pital expenses of persons detained in hospitals of the Public Health Service under the immigration laws and regulations shall be covered into the Treasury as miscellaneous receipts: Provided further, That no part of this sum shall be used for the quarantine service, the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

All sums received by the Public Health Service during the fiscal year 1935, except allotments and reimbursements on account of patients of the Veterans' Administration, allotments and reimbursements on account of medical and other services to the Federal penal and correctional institutions of the Department of Justice, under the provisions of the Act approved May 13, 1930 (U.S.C., Supp. VI, vil. 46, p. 273, U.S.C., Supp. VI, p. 338. Vol. 45, pp. 1087, 1088. U.S.C., Supp. VII, p. 368. U.S.C., Supp. VII, p. 378. Supp. VI, title 21, secs. 229, 232), shall be covered into the Treasury

as miscellaneous receipts.

Quarantine service: For maintenance and ordinary expenses, exclusive of pay of officers and employees, of United States quarantine stations, including the exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work and not to exceed \$3,500 for the purchase of motor-propelled passenger-carrying vehicles, \$322,150.

Prevention of epidemics: To enable the President, in case only of demics.

threatened or actual epidemic of infectious or contagious disease, to aid State and local boards or otherwise in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, \$199,718, including the purchase of newspapers and clippings from newspapers containing information relating to the prevalence of disease and the public health.

Field investigations: For investigations of diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage, and the pollution of navigable streams and lakes of the United States, including personal service, and including the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work, and not to exceed

Insane, etc.

Uses forbidden.

Disposal of receipts-

Quarantine service.

Field investigations.

¹ So in original.

\$2,250 for the purchase and exchange of motor-propelled passengercarrying vehicles, \$209,313.

Interstate quarantine service: For cooperation with State and municipal health authorities in the prevention of the spread of

contagious and infectious diseases in interstate traffic, \$35,495. Rural sanitation: For special studies of, and demonstration work in, rural sanitation, including personal services, and including the maintenance, repair, and operation of motor-propelled passengercarrying vehicles for official use in field work, \$25,032: Provided, That no part of this appropriation shall be available for demonstration work in rural sanitation in any community unless the State, county, or municipality in which the community is located agrees

Biologic products: To regulate the propagation and sale of viruses, serums, toxins, and analogous products, including arsphenamine, and for the preparation of curative and diagnostic biologic products, including personal services of reserve commissioned officers and other personnel, \$39,524.

to pay one half of the expenses of such demonstration work.

For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter XV, of the Act approved July 9, 1918 (U.S.C., title 42, secs. 24, 25), including personal and other services in the field and in the District of Columbia. \$58,808, of which amount not to exceed \$17,478 may be expended

for personal services in the District of Columbia. Division of Mental Hygiene: For carrying out the provisions of vision. Vol. 46, pp. 587, S19. section 4 of the Act of June 14, 1930 (U.S.C., Supp. VI, title 21, U.S.C., Supp. VII, p. secs. 196 and 225); for maintenance and operation of the Narcotic Vol. 46, pp. 88, 819, Section 4 of the Act of June 14, 1950 (U.S.C., Supp. VI, three 21, U.S.C., Supp. VII, p. secs. 196 and 225); for maintenance and operation of the Narcotic Farm, Lexington, Kentucky, in accordance with the provisions of the Act of January 19, 1929 (U.S.C., Supp. VI, title 21, secs. 221–U.S.C., Supp. VII, p. 237), including personal services in the District of Columbia and elsewhere; traveling expenses; necessary supplies and equipment; subsistence and care of inmates; expenses incurred in pursuing and identifying escaped inmates and of interment or transporting remains of deceased inmates; purchase and exchange of farm products and livestock; law books, books of reference, newspapers and periodicals; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; tobacco for inmates; purchase and exchange, not to exceed \$7,700, and maintenance, operation, and repair of

motor-propelled passenger-carrying vehicles; \$455,000. Educational exhibits: For the preparation of public-health exhibits designed to demonstrate the cause, prevalence, methods of spread, and measures for preventing diseases dangerous to the public health, including personal services and the cost of acquiring, transporting, and displaying exhibit material, \$1,000.

BUREAU OF THE MINT

OFFICE OF DIRECTOR OF THE MINT

Salaries: For the Director of the Mint and other personal services in the District of Columbia, \$33,156.

For transportation of bullion and coin, by registered mail or other-

wise, between mints and assay offices, \$6,000.

For contingent expenses of the Bureau of the Mint, to be expended under the direction of the Director: For assay laboratory chemicals, fuel, materials, balances, weights, and other necessaries, including books, periodicals, specimens of coins, ores, and incidentals, \$600.

Interstate quaran-

Rural sanitation.

tine service.

 $\begin{array}{c} Provise. \\ \text{Local} & \text{contribution} \\ \text{required.} \end{array}$

Biologic products. Regulating sale viruses, etc.

Diseases Venereal Division.

Maintenance, etc. Vol. 40, p. 886. U.S.C., p. 1315.

Services in the District.

Mental Hygiene Di-

Educational exhibits; preventing spread diseases.

Director, and office personnel. Transporting bullion

Bureau of the Mint.

Contingent expenses.

For examination of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, \$4,700.

MINTS AND ASSAY OFFICES

For compensation of officers and employees of the mints at Philadelphia, Pennsylvania, San Francisco, California, Denver, Colorado, and New Orleans, Louisiana, and assay offices at New York, New York, and Seattle, Washington, and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed \$500 for the expenses of the annual assay commission, and not exceeding \$1,000 in value of specimen coins and ores for the cabinet of the mint at Philadelphia, \$1,064,103.

PROCUREMENT DIVISION-SUPPLY BRANCH

Salaries and expenses: For the Director of Procurement and other Director, office and field personnel. personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including two two-ton trucks, office supplies and materials, maintenance of motor trucks, telegrams, telephone service, traveling expenses, office equipment, inspection, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia (including not to exceed \$500 to settle claims for damages caused to private property by motor vehicles used by the Procurement Division), \$225,792: Provided, That the Secretary of the Treasury is Provided authorized and directed during the fiscal year 1935 to transfer to this funds to Branch of appropriation from any appropriations or funds available to the Supply authorized. appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the amount of the annual compensation of employées heretofore or hereafter transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees was or will be incident to a transfer of a function or functions to that Division: Provided further, That the permanent capital of the general supply fund established by the Act approved research to a transfer of a function of functions to that Division: Provided further, That the permanent capital of general supply fund increased. February 27, 1929 (U.S.C., Supp. VI, title 41, sec. 7c), is hereby functions and the value of fuel on the books of the Government fuel yards on June 30, 1934, plus the unexpended balances adjusted operations added. as of that date of appropriations heretofore made for the Government fuel yards, and during the fiscal year 1935 the general supply tures fund shall be charged with expenditures for the purchase and fund. transportation of fuel, storing and handling of fuel, maintenance and operation of yards and equipment, including two motor-propelled passenger-carrying vehicles for inspectors, purchase of equipment, rentals, and all other expenses requisite for and incident to the operation of the Government fuel yards, including personal services in the District of Columbia, and for the payment of outvided further, That payments during the fiscal year 1935 to the terials, etc., issued. general supply fund for materials, supplies (including fuel), and

Mints and assay offi-

Examinations, etc.

Employees and expenses

Procurement Division; Supply Branch. Executive Order No. 6166.

Designated expendi-ures chargeable to

Interdepartmental advances credited to fund U.S.C., Supp. VII, p. 769.

ply, R.S., secs. 3711, 3713, pp. 733, 734. U.S.C., p. 1296.

Typewriter repairs.

Quiet machines.

roviso. Purchase order.

services, and overhead expenses, for all issues shall be made on the books of the Treasury Department by transfer and counter-warrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: Provided further, That advances received pursuant to law (U.S.C., Supp. VI, title 31, sec. 686) from departments and establishments of the United States Government and the Government of the District of Columbia during the fiscal year 1935 shall be credited to the "Fuel" and "fuel general supply fund: Provided further, That the term "fuel" Fuel inspection, etc., shall be held to include "fuel oil": And provided further, That requirements not to apply. (U.S.C., title 40, sec. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at free-on-board destination outside of the District of Columbia.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Procurement Division.

Standard typewriting machines, etc.

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1935 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), \$70; twelve inches, \$75; fourteen inches, \$750; sixteen inches, \$82.50; eighteen inches, \$87.50; twenty inches, \$94; twenty-two inches, \$95; twenty-four inches \$97.50; twenty-six inches \$103.50; twenty-eight inches, \$104: inches, \$97.50; twenty-fix inches, \$103.50; twenty-eight inches, \$104; thirty inches, \$105; thirty-two inches, \$107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, \$80; twelve inches, \$85; fourteen inches, \$90; eighteen inches, \$95: Provided, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

Public works branch. PROCUREMENT DIVISION—PUBLIC WORKS BRANCH PUBLIC BUILDINGS, CONSTRUCTION AND RENT

Construction, etc., of projects authorized.

Vol. 44, pp. 632, 633; Vol. 45, p. 137; Vol. 46, p. 1164.

U.S C. Supp. VII, pp. 897-898, 899.

Proviso.
Coast Guard, etc.,
buildings.
Vol. 46, p. 1605.

Lexington, Ky., nar-cotic farm. National Institute of Health Building.

For commencement, continuation, or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the Public Buildings Act, approved May 25, 1926 (U.S.C., Supp. VI, title 40, secs. 343–345), and the Acts amendatory thereof approved February 24, 1928 (U.S.C., Supp. VI, title 40, sec. 345) and March 31, 1930 (U.S.C., Supp. VI, title 40, secs. 341–349), within the respective limits of cost fixed for such projects, \$13,000,000: Provided, That no part of this appropriation shall be used for work on the building for the Coast Guard or some other Government activity (Apex Building), authorized by the

Act of March 4, 1931 (46 Stat., p. 1605).

Lexington, Kentucky, Narcotic Farm: For completion, \$614,615.

National Institute of Health Building, Washington, District of

Columbia: For completion, \$50,000.

Washington, District of Columbia, Post Office Building: For Washington, D.C., completion of extension, \$400,000.

PUBLIC BUILDINGS, REPAIRS, EQUIPMENT, AND GENERAL EXPENSES

Repairs and preservation: For repairs and preservation of all Repairs, preserva-completed and occupied public buildings and the grounds thereof and occupied buildings under the control of the Treasury Department, and for wire partitions and fly screens therefor; Government wharves and piers under the control of the Treasury Department, together with the necessary dredging adjacent thereto; care of vacant sites under the control of the Treasury Department, such as necessary fences, filling dangerous holes, cutting grass and weeds, but not for any permanent improvements thereon; repairs and preservation of buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargement of public buildings, the expenditures on this account for the current fiscal year not to exceed 15 per centum of the annual rental of such buildings: *Provided*, That of the sum herein appropriated not exceedbuildings: Provided, That of the sum herein appropriated not exceeding \$100,000 may be used for the repair and preservation of marine quarantine stations, hospitals, the national leprosarium, and quarantine stations (includ- etc. Treasury buildings, ing Marcus Hook) and completed and occupied outbuildings D.C. (including wire partitions and fly screens for same), and not exceeding \$24,000 for the Treasury, Treasury Annex, Liberty Loan, and Auditors' Buildings in the District of Columbia: Provided further, Personal services re-That this sum shall not be available for the payment of personal services except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building, \$650,000.

Mechanical equipment: For installation and repair of mechanical Mechanical equipment. equipment in all completed and occupied public buildings under the control of the Treasury Department, including heating, hoisting, plumbing, gas piping, ventilating, vacuum cleaning, and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit, wiring, call bell and signal systems, platform scales, and for maintenance and repair of tower clocks; for installation and repair of mechanical equipment, for any of the foregoing items, in buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargements of public buildings, the total expenditures on this account for the current fiscal year not to exceed That of the sum herein appropriated, not exceeding \$90,000 may be quarantine stations, used for the installation and repair of mechanical equipment in etc. marine hospitals, the national leprosarium, and quarantine stations (including Marcus Hook), and not exceeding \$25,000 for the Treas-D.C. ury, Treasury Annex, Liberty Loan, and Auditors' Buildings in the District of Columbia, but not including the generating plant and its maintenance in the Auditors' Building, and not exceeding \$10,000 for changes in, maintenance of, and repairs to the pneumatictube systems in New York City installed under franchise of the city of New York approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder, in accordance with the authority of the Acts approved August 5, 1909 (36 Stat., p. 120), 45, p. 533, and May 15, 1928 (45 Stat., p. 533), authorizing the Secretary of the Treasury to enter into contracts with the city of New York to abide Contracts. by the terms, conditions, and requirements of said franchises: Provided further, That this sum shall not be available for the payment striction. of personal services except for work done by contract, or for tempo-

Pneumatic tube service, New York.

rary job labor under exigency not exceeding at one time the sum of

Vaults, safes

\$100 at any one building, \$500,000. Vaults and safes: For vaults and lock-box equipments and repairs thereto in all completed and occupied public buildings under the control of the Treasury Department, and for the necessary safe equipments and repairs thereto in all public buildings under the administration of the Treasury Department, whether completed and occupied or in course of construction, exclusive of personal services, except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of \$50 at any one building, \$50,000.

General expenses. Vol. 35, p. 537. U.S.C., p. 1020. Technical services.

Superintendence.

Transporting effects, etc.

Office expenses, field

Other contingencies.

General expenses: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of the Act of May 30, 1908 (U.S.C., title 31, sec. 683): For salaries of architectural, engineering, and technical personnel and inspectors in the District of Columbia and elsewhere, not otherwise provided for, not exceeding \$314,686; expenses of superintendence, including expenses of all inspectors and other officers and employees, on duty or detailed in connection with work on public buildings and the furnishing and equipment thereof, and the work of the Procurement Division, Public Works Branch, under orders from the Treasury Department; for the transportation of household goods, incident to change of headquarters of district engineers, construction engineers, inspection engineers, and inspectors, not in excess of five thousand pounds at any one time, together with the necessary expense incident to packing and draying the same, not to exceed in any one year a total expenditure of \$10,000; office rent and expenses of field force, including temporary, stenographic, and other assistance, in the preparation of reports and the care of public property, and so forth, advertising, office supplies, including drafting materials, especially prepared paper, typewriting machines, adding machines, and other mechanical labor-saving devices, and exchange of same; furniture, carpets, electric-light fixtures, and office equipment; telegraph and telephone service; freight, expressage, and postage incident to shipments of drawings, furniture, and supplies for the field forces, testing instruments, and so forth, including articles and supplies not usually payable from other appropriations: Provided, That no expenditures shall be made hereunder for transportating supplies for public buildings; not to exceed \$1,000 for books of reference, law books, technical periodicals and journals; ground rent at Salamanca, New York, for which payment may be made in advance; contingencies of every kind and description, traveling expenses of site agents, and of employees directed by the Secretary of the Treasury to attend meetings of technical and professional societies in connection with the work of the Procurement Division, Public Works Branch, recording deeds and other evidences of title, photographic instruments, chemicals, plates, and photographic materials, and such other articles and supplies and such minor and incidental expenses not enumerated, connected solely with work on public buildings, the acquisition of sites, and the administrative work connected with the annual appropriations under the Procurement Division, Public Works Branch, as the Secretary of the Treasury may deem necessary Objects not included. and specially order or approve, but not including heat, light, janitor service, awnings, curtains, or any expenses for the general maintenance of the Treasury Building, or surveys, plaster models, progress photographs, test-pit borings, or mill and shop inspections, \$365,035, of which amount not to exceed \$252,472 may be expended for personal services in the District of Columbia.

Outside professional services: To enable the Secretary of the Outside professional Treasury to obtain outside professional and/or technical services, as Vol. 44, p. 631; Vol. provided by the Public Buildings Act approved May 25, 1926 C., Supp. VII., p. 631; Vol. provided by the Public Buildings Act approved May 25, 1926 U.S.C., Supp. VII., p. (U.S.C., Supp. VI, title 40, sec. 342), and by the Act approved 897. March 31, 1930 (46 Stat., p. 137), and to pay reasonable compensation for such services, and to employ appraisers, when necessary, by contract or otherwise, \$500,000, to remain available until expended.

PUBLIC BUILDINGS, OPERATING EXPENSES

Operating expenses.

Operating force: For such personal services as the Secretary of the Treasury may deem necessary in connection with the care, maintenance, and repair of all public buildings under the administration of the Treasury Department (except as hereinafter provided), together with the grounds thereof and the equipment and furnishings therein, including inspectors of buildings, repairs and equipment, assistant custodians, janitors, watchmen, laborers, and charwomen; telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in Federal buildings, jointly serving in each case two or more governmental activities; engineers, firemen, elevator conductors, coal passers, electricians, dynamo tenders, lampists, and wiremen; mechanical labor force in connection with said buildings, including carpenters, plumbers, steam fitters, machinists, and painters, but in no case shall the rates of compensation for such mechanical labor force be in excess of the rates current at the time and in the place where such services are employed, \$1,305,000: Provided, That the foregoing appropriations shall be available for use in connection with all public buildings under the administration of the Treasury Department, outside the District of Columbia, and exclusive of marine hospitals, quarantine stations, mints, branch mints, and assay offices.

Operating force. Personal services.

Furniture and repairs of furniture: For furniture, carpets, and repairs of same, for completed and occupied public buildings under the administration of the Treasury Department, exclusive of marine hospitals, quarantine stations, mints, branch mints, and assay offices, and for gas and electric lighting fixtures and repairs of same for completed and occupied public buildings under the administration of the Treasury Department, including marine hospitals and quarantine stations, but exclusive of mints, branch mints, and assay offices, and for furniture and carpets for public buildings and extension of public buildings in course of construction which are to remain under the custody and administration of the Treasury Department, exclusive of marine hospitals, quarantine stations, mints, branch mints, and assay offices, and buildings constructed for other executive departments or establishments of the Government, \$100,000: Provided, That the foregoing appropriation shall not be used for personal services except for work done under contract or striction. for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: Provided further, That use all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Proviso.
Availability.

Furniture, etc.

Use of present furni-

Operating supplies. Fuel, light, power,

Operating supplies: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting, etc. heating, and power purposes, telephone service for custodial forces; removal of ashes and rubbish, snow, and ice; cutting grass and weeds, washing towels, and miscellaneous items for the use of the

custodial forces in the care and maintenance of completed and occupied public buildings and the grounds thereof under the administration of the Treasury Department, and in the care and maintenance of the equipment and furnishings in such buildings; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum-cleaning and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit wiring, call bell and signal systems in such buildings, and for the transportation of articles or supplies, authorized herein for buildings under the administration of the Treasury Department outside the District of Columbia, but excluding marine hospitals and quarantine stations, mints, branch mints, and assay offices, and personal services, except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building, \$395,000. The appropriation made herein for gas shall include the rental and use of gas governors when ordered by the Secretary of the Treasury in writing: Provided, That rentals shall not be paid for such gas governors greater than 35 per centum of the actual value of the gas saved thereby, which saving shall be determined by such tests as the Secretary of the Treasury shall direct: Provided further, That the Secretary of the Treasury is authorized to contract for telephone service in public buildings under the administration of the Treasury Department by means of telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more Government activities where he finds that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Departmental salaries: For personal services in the District of Columbia for the Procurement Division, Public Works Branch,

Pronisos Rentals thereof.

Contracts for joint telephone switch-boards.

Departmental sala-

\$270,000.

Miscellaneous items. MISCELLANEOUS ITEMS, TREASURY DEPARTMENT

AMERICAN PRINTING HOUSE FOR THE BLIND

American Printing House for the Blind, vol. 44, p. 1060. U.S.C., Supp, VII, p. 460.

Citation of Title.

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (U.S.C., Supp. VI, title 20, sec. 101), \$65,000.
This title may be cited as the "Treasury Department Appropria-

tion Act, 1935."

TITLE II—POST OFFICE DEPARTMENT

Title II—Post Office Department.

Appropriations for fiscal year, 1935. Vol. 5, p. 80. U.S.C., pp. 49, 1283.

The following sums are appropriated in conformity with the Act of July 2, 1836 (U.S.C., title 5, sec. 380, title 39, sec. 786), for the Post Office Department for the fiscal year ending June 30, 1935, namely:

Department expenses.
Postmaster General's office.
Postmaster General, and office personnel.

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA OFFICE OF THE POSTMASTER GENERAL

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, \$205,510.

SALARIES IN BUREAUS AND OFFICES

Bureaus and offices. Allotments specified.

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of the First Assistant Postmaster General, \$433,629. Office of the Second Assistant Postmaster General, \$376,501. Office of the Third Assistant Postmaster General, \$682,603. Office of the Fourth Assistant Postmaster General, \$316,019. Office of the Solicitor for the Post Office Department, \$73,152. Office of the chief inspector, \$168,300.

Office of the purchasing agent, \$31,860.

Bureau of Accounts, \$81,198.

Department contin-gent expenses.

Stationery, etc.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For stationery and blank books, index and guide cards, folders, and binding devices, including purchase of free penalty envelopes,

For telegraphing, \$6,000.

For miscellaneous items, including purchase, exchange, maintenance, and repair of tools, electrical supplies, typewriters, adding machines, and other labor-saving devices; maintenance of motor trucks and of two motor-driven passenger-carrying vehicles, to be used only for official purposes (one for the Postmaster General and one for the general use of the department); street-car fares not exceeding \$540; floor coverings, postage stamps for correspondence addressed abroad, which is not exempt under article 47 of the Lon-vol. 44, pp. 2243, don convention of the Universal Postal Union; and other necessary expenses; \$40,250; and of such sum of \$40,250 not exceeding \$14,500 may be expended for telephone service, not exceeding \$1,800 may be expended for purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the department, and not exceeding \$2,000 may be expended for expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, and not exceeding \$800 may be expended for expenses of the purchasing agent and of the solicitor and attorneys connected with his office while traveling on business of the department.

For furniture and filing cabinets and repairs thereto, \$7,000. For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$850,000.

Appropriations hereinafter made for the field service of the Post priations not to be Office Department, except as otherwise provided, shall not be used for department. expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: employees of the Post Office Department and Postal Service, when traveling on official business, may continue to be paid from the appropriations for the service in connection with which the traveling of the service in connection with which the traveling of the service in connection with which the traveling of the service in connection with which the traveling of the service appropriations. formed, and appropriations for the fiscal year 1935 of the character heretofore used for such purposes shall be available therefor: Provided further, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

Telegraphing. Miscellaneous.

Attendance at meet-

Furniture, etc. Printing and binding.

Use in examining field estimates.

Field service.

FIELD SERVICE, POST OFFICE DEPARTMENT

Postmaster General.

OFFICE OF THE POSTMASTER GENERAL

Cash rewards to employees for inventions improving the service.

Protisos.
Additional to regular pay.

Limitation.

Appropriation stricted.

Travel, etc.

Damage claims. Vel. 42, p. 63. U.S.C., p. 50.

Inspectors.

Traveling expenses, investigations, etc.

Proviso.
Allotment for chemical, etc., investigations.

Clerks at division headquarters.

Rewards for detect-ing law violations.

Provisos. Death of offender.

Rates.

The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of \$500 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this Act shall be in addition to their usual compensation: *Provided* further. That the total amount paid under the provisions of this Act shall not exceed \$1,000 in any month or for any one invention or suggestion: Provided further, That no employee shall be paid a reward under this Act until he had not exceed \$1,000 in any month or for any one invention or suggestion: Provided further, That no employee shall be paid a reward under this Act until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns: Provided further, That this appropriation shall be available for no other purpose.

For travel and miscellaneous expenses in the Postal Service, office

of the Postmaster General, \$1,000.

To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1935, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act approved June 16, 1921 (U.S.C., title 5, sec. 392), \$16,000.

Office of chief inspector: For salaries of fifteen inspectors in charge of divisions and five hundred and twenty-five inspectors,

\$1,790,955.

For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases, and for tests, exhibits, documents, photographs, office and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, \$488,270: Provided, That not exceeding \$16,460 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

For compensation of one hundred and thirty clerks at division

headquarters, \$291,420.

For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers, \$45,000: Provided, That rewards may be paid in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest: Provided further, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 9955, dated February 28, 1930: Provided further, That of the amount herein appropriated not to exceed \$20,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

First Assistant Post-master General.

Postmasters, etc.

For compensation to postmasters and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, \$40,500,000. For compensation to assistant postmasters at first and second class Assistant postmast-

post offices, \$5,805,000.

For compensation to clerks and employees at first and second Employees first and second class offices. class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen. messengers, laborers, and substitutes, \$146,500,000.

For compensation to clerks in charge of contract stations, Contract stations

\$1,550,000.

For separating mails at third and fourth class post offices, \$431,631.

Separating mails.

For unusual conditions at post offices, \$45,000.

Unusual conditions.

For allowances to third-class post offices to cover the cost of clerical fices.

Clerks, third class of-

services, \$6,750,000.

For miscellaneous items necessary and incidental to the operation Miscellaneous, first and second class offices. and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, \$1,828,500.

For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, \$1,408,905.

Village delivery.

Detroit River service.
Car fare and bicycle allowance.

For Detroit River postal service, \$15,995.

For car fare and bicycle allowance, including special-delivery car fare, \$1,200,000.

City delivery, carriers. Special delivery, etc. Rural delivery serv-

For pay of letter carriers, City Delivery Service, \$104,000,000.

For fees to special-delivery messengers, \$5,107,500.

For pay of rural carriers, auxiliary carriers, substitutes for rural ice. carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage. Rural Delivery Service, and for the incidental expenses thereof, \$82,902,500.

Travel, etc.

For travel and miscellaneous expenses in the Postal Service, office of the First Assistant Postmaster General, \$1,000.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Second Assistant Postmaster General.

For inland transportation by star routes (excepting service in Ala-ka, routes, except Alaska), including temporary service to newly established offices, and not to exceed \$200,000 for Government-operated star-route service, \$12,500,000.

For inland transportation by star routes in Alaska, \$135,000. For inland transportation by steamboat or other powerboat routes, Steamboat, etc.,

Alaska.

including ship, steamboat, and way letters, \$1,229,600.

For inland transportation by railroad routes and for mail messenger service, \$98,500,000: Provided, That not to exceed \$1,500,000 Provises freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: Provided further, That messenger service separate accounts be kept of the amount expended for mail messenger service: Provided further, That there may be expended from trict.

Services in the District appropriation for clerical and other assistance in the District of Columbia not exceeding the sum of \$55,530 to carry out the U.S.C., pp. 1069, 1286. provisions of section 5 of the Act of July 28, 1916 (U.S.C., title 39, sec. 562) (the space basis Act), and not exceeding the sum of \$28,400 to carry out the provisions of section 214 of the Act of

February 28, 1925 (U.S.C., title 39, sec. 826) (cost ascertainment).

Railroad routes and

Separate accounting,

Railway Mail Serv-

Railwav Mail Service: For fifteen division superintendents, Division superin fifteen assistant division superintendents, two assistant superintendents ents at large, one assistant superintendent in charge of car construction, one hundred and twenty-one chief clerks, one hundred and twenty-one assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, \$47,200,000.

Travel allowance to

For travel allowance to railway postal clerks and substitute railway postal clerks, \$2,350,000.

Expenses away from headquarters.

For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$60,000.

Miscellaneous.

For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, for the purchase or rental of arms and miscellaneous items necessary for the protection of the mails, and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, \$775,000.

Arms for mail protec-Terminal offices, rent.

For electric and cable car service, \$375,000.

Electric and cable car service.
Foreign mails.
Vol. 41, p. 988; Vol.
45, p. 689.
U.S.C., p. 1537; Supp.
VII, p. 964. car service.

For transportation of foreign mails by steamship, aircraft, or otherwise, including the cost of advertising in connection with the award of contracts authorized by the Merchant Marine Act of 1928 (U.S.C., title 46, secs. 861-889; Supp. VI, title 46, secs. 886-891x), \$37,500,000: *Provided*, That no part of the money herein appropriated shall be paid on contract numbered 56 to the Seatrain Company: Provided further, That not to exceed \$7,000,000 of this sum may be expended for carrying foreign mail by aircraft under contracts which will not create obligations for the fiscal year 1936 in excess of \$7,000,000: Provided further, That the Postmaster General is authorized to expend such sums as may be necessary, not to exceed \$250,000, to cover the cost to the United States for maintaining sea-post service on ocean steamships conveying the mails to and from the United States including the salary of the Assistant Director, Division of International Postal Service, with headquarters at New York City.

Provisos.
Payment to Seatrain
Company forbidden.
Aircraft allowances;
contract restrictions.

Sea post service.

For balances due foreign countries, \$1,000,000.

Assistant Director, International Postal

For travel and miscellaneous expenses in the Postal Service, office

Balances due foreign countries. Travel, etc.

of the Second Assistant Postmaster General, \$1,000.

For the inland transportation of mail by aircraft, as authorized by law, and for the incidental expenses thereof, including not to exceed \$17,760 for supervisory officials and clerks at air mail transfer points, and not to exceed \$34,967 for personal services in the District of Columbia and incidental and travel expenses, \$12,000,000.

Aircraft contract, inland service.

> For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, \$15,000.

Indemnity, loternational mail. lost in-

Third Assistant Post-master General.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Stamps, stamped en-velops, postal cards,

For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelops, newspaper wrappers, postal cards, and for coiling of stamps, \$3,500,000.

For pay of agent and assistants to examine and distribute stamped envelops and newspaper wrappers, and expenses of agency, \$19,940.

For payment of limited indemnity for the injury or loss of pieces Indemnity, lost doof domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, \$625,000.

For travel and miscellaneous expenses in the Postal Service, office of the Third Assistant Postmaster General, \$1,000.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, rem, supplies. Savings system, including rubber stamps, canceling devices, rem, supplies. certificates, envelops, and stamps for use in evidencing deposits, and free penalty envelops; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25,

1910 (U.S.C., title 39, sec. 760), \$500,000.

For miscellaneous equipment and supplies, including the purchase Miscellaneous equipment and supplies.

Miscellaneous equipment and supplies. and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelop-opening machines, and computing machines, copying presses, numbering machines, time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, including complete equipment and furniture for post offices in leased quarters; for miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural delivery service, and for letter boxes, \$700,000; and the Postmaster General may authorize the sale to the public of postroute maps and rural delivery maps or blueprints at the cost of printing and 10 per centum thereof added; of this amount \$1,500 may be expended in the purchase of atlases and geographical and technical works: *Provided*, That no part of this appropriation shall be expended for the purchase of furniture and complete equipment class offices.

Provise. Pruniture, etc., third for third-class post offices except miscellaneous continued. for third-class post offices except miscellaneous equipment of the general character furnished such offices during the fiscal year 1931.

For wrapping twine and tying devices, \$300,000.

For expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding \$40,000 for the pay of employees in connection therewith in the District of Columbia, \$51,506.

For rental, purchase, exchange, and repair of canceling machines Canceling and labor saving devices, etc. and motors, mechanical mail-handling apparatus, and other labor-saving devices, including cost of power in rented buildings and miscellaneous expenses of installation and operation of same, including salaries of ten traveling mechanicians, and for traveling expenses, \$397,250.

Distributing agency.

Travel, etc.

Fourth Assistant Postmaster General.

Stationery, etc.

Vol. 36, p. 817. U.S.C., p. 1282.

Letter boxes.

Postmarking, stamps. etc..

Post route mans.

Twine, etc. Shipping supplies.

Equipment materials, etc.

Equipment Shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal Service as may be deemed expedient; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies and services; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, \$804,500, of which not to exceed \$499,500 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding \$15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Rent, light, etc., first, econd, and third class

Distinctive equipment for departments, Alaska, and island possessions.

Services in the Dis-

roviso

offices.

Pneumatic tubes, New York City.

Boston, Mass.

Proviso Provisions applica-Vol. 32, p. 114; Vol. 35, p. 412. U.S.C., p. 1260.

Vehicle allowance for delivery, collection, etc.

Provisos. Garage rental.

trucks.

striction.

Transportation, etc., of equipment.

Travel, etc.

For rent, light, fuel, and water, for first, second, and third class post offices, and the cost of advertising for lease proposals for such offices, \$14,500,000.

For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate not in excess of \$19,500 per mile of double line of tubes, including power, labor, and all other operating expenses, \$524,000.

For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, \$24,000: Provided, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (U.S.C., title 39, sec. 423), and May 27, 1908 (U.S.C., title 39, sec. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, exchange, and maintenance of motor vehicles; the hire of supervisors, clerical assistance, mechanics, drivers, garagemen, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, and delivery of the mail, \$13,325,000: Provided, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term Tractors and trailer not exceeding ten years: Provided further, That the Postmaster General, during the fiscal year 1935, may purchase and maintain from the appropriation "Vehicle service" such tractors and trailer trucks as may be required in the operation of the vehicle service: Provided fur-Motor-vehicle re ther, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, \$344,100.

For travel and miscellaneous expenses in the Postal Service, office of the Fourth Assistant Postmaster General, \$1,000.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Salaries and expenses, departmental: For personal services in the Departmental salaries and expenses. District of Columbia and for traveling expenses necessary in connection with the operation and maintenance of public buildings under the administration of the Post Office Department, \$69,846.

Operating force: For personal services in connection with the operation and maintenance of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, under the administration of the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, \$10,935,000: Provided, That in no case shall governmental activities, \$10,935,000: Provided, That in no case shall Proviso. Compensation rates, the rates of compensation for the mechanical labor force be in mechanical labor. excess of the rates current at the time and in the place where such

services are employed.

Operating supplies: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, tools and appliances, for the operation and maintenance of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, under the administration of the Post Office Department, including the Washington Post Office and the Customhouse Building in the District of Columbia, and for the transporta-That the foregoing appropriation shall not be available for per-ability. sonal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of \$100 contracts for teleat any one building: Provided further, That the Postmaster Gen-phone service. eral is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the Bureaus and offices receiving the same.

Furniture, carpets, and safes: For the procurement, including Furniture transportation, of furniture, carpets, safes, lighting fixtures, and repairs of same, for use in public buildings which are now, or may hereafter be, under the administration of the Post Office Department, \$1,250,000: Provided, That the foregoing appropriation shall personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: Provided further, That all furniture now owned by the United States in other public building. all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation

plan of furniture or not.

In the disbursement of appropriations contained in this Act for standards Bureau for the field service of the Post Office Department the Postmaster Geninvestigating materials. eral may transfer to the Bureau of Standards not to exceed \$20,000 for scientific investigations in connection with the purchase of mate-

Public buildings, maintenance, etc.

Operating force.

Operating supplies.

rials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Appropriations from Treasury for field service to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1935, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Appropriations for travel, etc., fiscal year

Sec. 2. Appropriations for the fiscal year 1935 available for expenses of travel of civilian officers and employees of the executive departments and establishments shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized by the head of the department or establishment concerned in the order directing such transfer: Provided, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Proviso. Transfers for conve-nience of officers.

Sec. 3. No appropriation available for the executive departments penditures by execu-tive departments, etc. and independent establishments of the Government for the fiscal year ending June 30, 1935, whether contained in this Act or any other Act, shall be expended—

Restrictions on ex-

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of \$750, unless otherwise specifically

Cost limit of automobiles.

provided for in the appropriation.

Maintenance, automobiles, not used for official purposes.
"Official purposes", construed.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. The limitations of this subsection (b) Limitations not ap- establishment concerned. shall not apply to any motor vehicles for official use of the President, or of the heads of the executive departments.

(c) For the maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on any one motorpropelled passenger-carrying vehicle, except busses and ambulances, in excess of one third of the market price of a new vehicle of the same make and class and in no case in excess of \$400.

Maintenance cost limit.

> SEC. 4. That no part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Appointments after Senate rejections re-stricted.

SEC. 5. This title may be cited as the "Post Office Department Appropriation Act, 1935."

Citation of title.

Approved, March 15, 1934.

[CHAPTER 71.]

AN ACT

To supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes.

March 16, 1934. [H.R. 5632.] Public, No. 124.]

Migratory Bird Con-servation. Vol. 40, p. 755; Vol. 45, p. 1222. Vol. 39, p. 1702.

Post, p. 1031. Hunting stamp, pro-

Exceptions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the expiration of ninety days after the date of enactment of this Act no person over sixteen years of age shall take any migratory waterfowl unless at the time of such taking he carries on his person an unexpired Federal migratory-bird hunting stamp issued to him in visions. the manner hereinafter provided; except that no such stamp shall be required for the taking of migratory waterfowl by Federal or State institutions or official agencies, for propagation purposes or by the resident owner tenant or share cropper of the property or officially designated agencies of the Department of Agriculture for the killing of such waterfowl when found injuring crops or other property, under such restrictions as the Secretary of Agriculture may by regulation prescribe. The Secretary of Agriculture shall, immediately upon the passage of this Act, adopt and promulgate such regulations as are pertinent to the protection of private property in the injury of crops. Any person to whom a stamp has been issued under this Act shall upon request exhibit such stamp for inspection to any of of the Department of Activities and of the Department of Activities of the Department of t to enforce the provisions of this Act or to any officer of any State or any political subdivision thereof authorized to enforce game laws.

Sec. 2. That the stamps required under this Act shall be issued, Issue of, by Post Office Department, under Office Department.

and the fees therefor collected, by the Post Office Department, under regulations prescribed jointly by the Secretary of Agriculture and the Postmaster General: *Provided*, That stamps shall be issued at

the post office or post offices of all county seats in the several States, at all post offices in all cities with a population of two thousand five hundred or over and at such other post offices as said officers may by

be affixed adhesively to the game license issued to the applicant under State law, if the applicant is required to have a State license, or, if the applicant is not required to have a State license, to a certificate furnished for that purpose by the Post Office Department at the time of issuance of such stamp. For each such stamp issued under

the provisions of this Act, there shall be collected by the postmaster

the sum of \$1. Each stamp shall expire and be void after the 30th

day of June next succeeding its issuance.

Regulations by Secretary of Agriculture.

Collection of fees Proviso. Issuing offices.

regulation prescribe. Each such stamp shall, at the time of issuance, to game license.

Fee.

Duration.

Sec. 3. Nothing in this Act shall be construed to authorize any state game laws and person to take any migratory waterfowl otherwise than in accord-treaties.

ance with regulations adopted and approved pursuant to any treaty.

Vol. 39, p. 1702. ance with regulations adopted and approved pursuant to any treaty heretofore or hereafter entered into between the United States and any other country for the protection of migratory birds, nor to exempt any person from complying with the game laws of the several States.

Expenditures author-

SEC. 4. All moneys received for such stamps shall be accounted for servation fund, stamp by the postmaster and paid into the Treasury of the United States, receipts to constitute. and shall be reserved and set aside as a special fund to be known as the migratory bird conservation fund, to be administered by the Secretary of Agriculture. All moneys received into such fund are ized hereby appropriated for the following objects and shall be available therefor until expended:

Acquiring areas or

(a) Not less than 90 per centum shall be available for the location, ascertainment, acquisition, administration, maintenance, and development of suitable areas for inviolate migratory-bird sanctuaries, under the provisions of the Migratory Bird Conservation Act, to be expended for such purposes in all respects as moneys appropriated

Developing, etc., pursuant to the provisions of such Act; for the administration, maintenance, and development of other refuges under the administration of the Secretary of Agriculture, frequented by migratory game birds; and for such investigations on such refuges and elsewhere in regard to migratory waterfowl as the Secretary of Agri-

Administrative penses.
Reimbursing expenses of issuing, etc., stamps.

culture may deem essential for the highest utilization of the refuges and for the protection and increase of these birds. (b) The remainder shall be available for administrative expenses ex. under this Act and the Migratory Bird Conservation Act, including reimbursement to the Post Office Department of funds expended in connection with the printing, engraving, and issuance of migratory-

States, etc. Vol. 45, p. 1225.

bird hunting stamps, and including personal services in the District of Columbia and elsewhere: *Provided*, That the protection of said inviolate migratory-bird sanctuaries shall be, so far as possible, under section 17 of the Migratory Bird Conservation Act, passed February 18, 1929.

Administration of Migratory Bird Treaty Act. Vol. 39, p. 1702.

(c) The remainder shall be available for administrative expenses under this Act, including reimbursement to the Post Office Department of funds expended in connection with the issuance of stamps, and printing and engraving of the same, and for administration expenses under the Migratory Bird Treaty Act and any other Act to carry into effect any treaty for the protection of migratory birds, and the Migratory Bird Conservation Act.

Penal provisions.
Altering, loaning, etc., stamps.

SEC. 5. (a) No person shall alter, mutilate, loan, or transfer to another any stamp issued to him pursuant to this Act, nor shall any person other than the person to whom such stamp is issued use the same for any purpose.

Counterfeiting.

(b) No person shall imitate or counterfeit any stamp authorized by this Act, or any die, plate, or engraving therefor, or make, print, or knowingly use, sell, or have in his possession any such counterfeit, license, die, plate, or engraving.

Seo. 6. For the efficient execution of this Act, the judges of the

several courts, established under the laws of the United States, United States commissioners, and persons appointed by the Secretary of Agriculture to enforce the provisions of this Act, shall have, with respect thereto, like powers and duties as are conferred upon said

Enforcement provi-

judges, commissioners, and employees of the Department of Agriculture by the Migratory Bird Treaty Act or any other Act to carry into effect any treaty for the protection of migratory birds with respect to that Act. Any bird or part thereof taken or possessed Seizures, etc. Vol. 40, p. 756. contrary to such Acts shall, when seized, be disposed of as provided by the Migratory Bird Treaty Act, or Acts aforesaid. Penalty for violation.

SEC. 7. Any person who shall violate any provision of this Act or who shall violate or fail to comply with any regulation made pursuant thereto shall be subject to the penalties provided in section 6 of the Migratory Bird Treaty Act.

with

SEC. 8. The Secretary of Agriculture is authorized to cooperate with the several States and Territories in the enforcement of the provisions of this Act.

Terms defined.

Cooperation States, etc.

SEC. 9. (a) Terms defined in the Migratory Bird Treaty Act, or the Migratory Bird Conservation Act, shall, when used in this Act, have the meaning assigned to such terms in such Acts, respectively.

(b) As used in this Act (1) the term "migratory waterfowl" means the species enumerated in paragraph (a) of subdivision 1 of article I of the treaty between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916; (2) the term "State" includes the several States and Territories of the United States and the District of Columbia; and (3) the term "take" means pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill.

Approved, March 16, 1934.

[CHAPTER 72.]

AN ACT

To provide for the appointment of a commission to establish the boundary line between the District of Columbia and the Commonwealth of Virginia.

March 21, 1934. [H.R. 6228.] [Public, No. 125.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to determine the boundary line between the District of Columbia and the State of Virginia, and to provide for settlement of claims to lish. property along or affected by said boundary line, the President of the United States is hereby requested to designate and appoint one commissioner, who is hereby directed, authorized, and empowered to act in conjunction with a like commissioner to be appointed pursuant to an act of the Legislature of Virginia. The said two commissioners so appointed and a third person to be selected by them are hereby constituted a commission for the purpose of surveying and ascertaining the boundary line between the District of Columbia and the State of Virginia, and are hereby directed, authorized, and empowered to survey and fix said boundary line and to mark the said line when so determined by suitable monuments, acting within the limits of their authority and guided by the provisions herein set forth. The said commissioners so selected shall serve until the completion of their report or not later than March 1, 1935.

SEC. 2. In determining the location of said boundary said commissioners shall take into consideration, amongst other things, the several decisions of the Supreme Court of the United States in relation thereto, the findings and reports of the Maryland and Virginia Boundary Commission of 1877, the compact of 1785 between the State of Maryland and the Commonwealth of Virginia, the claims of ownership of the United States and all private persons and corporations along the Virginia shore line, and the equitable and prescriptive rights, if any, of the United States and private claimants growing out of long, continued, and uninterrupted possession, and shall mark such line as they may recommend as the boundary line and shall report their findings and recommendations to Congress and to the Legislature of Virginia for action to finally ratify and

establish said boundary line.

Sec. 3. To provide for the settlement of titles to the property erty titles. adjoining or affected by the determination of said boundary line, the said commissioners are further authorized and instructed to investigate all questions of title as between the United States and private citizens over such lands, all questions of equitable and prescriptive rights arising from long and continued possession and occupancy rights, etc. either on the part of the United States or private citizens, and all improvements of said lands either by the United States or private citizens made in good faith and upon belief of good title, and said commissioners shall report their findings and recommendations in this respect for the equitable settlement of all such disputed titles,

District of Columbia-Virginia boundary line. Appointment of Commission to estab-

Authority to fix line.

Duration of Com-mission.

Factors to be considered.

Private claimants.

Marking of recom-mended line. Findings; ratification.

Settlement of prop-

Recommendation as to title not binding.

Compensation. penses, etc.

Assistants; pay with-out regard to Classifi-cation Act. Vol. 42, p. 1488; Vol. 46, p. 1003; U.S.C. p. 65, Supp. VII, p. 34. Securing informa-tion.

Hearings.

Appropriation thorized. Post, p. 833.

including proposed payments to and from the United States, and such other recommendations as in their opinion may promote a just and reasonable settlement of the title to said property. Nothing contained in said recommendation with respect to title shall be binding

upon either the United States or private claimants.

SEC. 4. Said commissioners shall receive compensation for such days as they may actually work at the rate of \$15 per day, plus travel and subsistence expenses, and shall have authority to employ such assistants at such rates of pay as they may deem appropriate without regard for the Classification Act of 1923. The said commissioners are appropriated to the said commissioners and appropriate of the Federal missioners may call upon all officers and agencies of the Federal Government and the District of Columbia for information and advice, and said officers are hereby authorized and directed to supply such information on request. Said commission shall make such surveys, hold such hearings, and conduct such other investigations as it may deem necessary and advisable to carry out the purposes of this Act.

Sec. 5. For the purpose of carrying out the provisions of this Act and the payment of salaries and compensation herein provided for, the sum of \$10,000, or as much thereof as may be necessary, is hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated.

Approved, March 21, 1934.

[CHAPTER 73.]

AN ACT

March 22, 1934. [H.R. 5862.] [Public, No. 126.]

To provide for the removal of American citizens and nationals accused of crime to and from the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States

to country in which extraterritorial jurisdiction exercised.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 591 of title 18 of the United States Code so for extraterritorial jurisdic. in any country where the United States exercises extraterritorial jurisdiction for the arrest and removal therefrom to the United States, its Territories, Districts, or possessions, including the Panama Canal Zone and the Philippine Islands, or any other territory governed, occupied, or controlled by it, of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any crime or offense against the United States, and shall also apply throughout the United States, its Territories, Districts, and possessions, including the Panama Canal Zone and the Philippine Islands, as well as to any other territory governed, occupied, or controlled by the United States, for the arrest and removal therefrom to the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction, of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any crime or offense against the United States Custody, etc., pend in any country where it exercises extraterritorial jurisdiction. Such fugitive first mentioned may, by any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction and agreeably to the usual mode of process against offenders subject to such jurisdiction, be arrested and imprisoned or admitted to bail, as the case may be, pending the issuance of a warrant for his removal to

the United States, its Territories, Districts, or possessions, including the Panama Canal Zone and the Philippine Islands, or any other territory governed, occupied, or controlled by it, which warrant it Executing, etc., warshall be the duty of the principal officer or representative of the United States vested with judicial authority in the country where the fugitive shall be found seasonably to issue, and of the United States marshal or corresponding officer to execute. Such marshal when executing warrant or other officer, or the deputies of such marshal or officer. engaged in executing such warrant without the jurisdiction of the court to which they are attached, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safekeeping and the execution of the warrant.

Sec. 2. Whenever the executive authority of any State, Territory, Demand by a State, District, or possession of the United States, including the Panama of fugitive. Canal Zone and the Philippine Islands, demands any American citizen or national as a fugitive from justice who has fled to the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction, and produces a copy of an indictment of affidation accompany; indictment found or an affidavit made before a magistrate of any charge specified. State, Territory, District, or possession of the United States, charging the fugitive so demanded with having committed treason, felony or other crime, certified as authentic by the Governor, chief magistrate, or other person authorized to act as such from whence the fugitive so charged has fled, it shall be the duty of the officer or representative of the United States vested with judicial authority to whom the demand has been made to cause such fugitive to be arrested and secured, and to cause notice of the arrest to be given to the executive authorities making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent for three months. shall appear within three months from the time of the arrest, the prisoner may be discharged. All costs or expenses incurred in the apprehending, securing, and transmitting such fugitive to the State, Territory, District or possession of the United States, including the Panama Canal Zone and the Philippine Islands, shall be paid by the executive authority making such demand. The agent who receives executive authority making such demand. The agent who receives Transportation the fugitive into his custody shall be empowered to transport him aiding escape. to the jurisdiction from which he has fled, and every person who, by force, sets at liberty or rescues the fugitive from such agent while so transporting him shall be fined not more than \$500 or imprisoned not more than one year.

Sec. 3. Whenever, under this Act, it is desired to obtain the pro- telegraphic request. visional arrest and detention of a fugitive in advance of the presentation of the formal proofs, such detention may be obtained by telegraph upon the request of the authority competent to request the surrender of such fugitive addressed to the authority competent to grant such surrender: *Provided*, That such request for provisional arrest and detention be accompanied by an express statement that company. a warrant for the fugitive's arrest has been issued within the jurisdiction of the authority making such request charging the fugitive with the commission of the crime for which his extradition is sought to be obtained: Provided further, That in the case of a request so made by a State, Territory, District, or possession, the expenses of obtaining a fugitive upon telegraphic request shall be borne by such State, Territory, District, or possession: And provided further, That no person shall be held in custody under telegraphic request by virtue of the provisions of this section for more than ninety days.

Arrest of fugitive.

Notice to demanding authority.

Provisional arrest on

ProvisosInformation to ac

Payment of expenses.

Void after 90 days.

Escape of prisoner. Criminal code pr Criminal code provisions applicable. U.S.C., p. 477.

SEC. 4. The provisions of section 244 of title 18 of the United States Code are hereby made applicable to proceedings in extradition instituted in accordance with the provisions of this Act.

Approved, March 22, 1934.

[CHAPTER 84.]

AN ACT

[Public, No. 127.]

To provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CONVENTION TO FRAME CONSTITUTION FOR PHILIPPINE ISLANDS

Election of delegates.

Territory included. Vol. 30, p. 1755.

Vol. 31, p. 1942.

Expenses.

Character of Consti tution, etc. Form and contents.

Mandatory sions.

Allegiance

Oath of office, etc.

Religious toleration.

Church, etc., property tax free.

Trade relations with United States. Post, p. 459.

Public debt.

Philippine Inde-pendence Act. Constitutional con-Constitutional con-provide for the election of delegates to a constitutional convention, which shall meet in the hall of the house of representatives in the capital of the Philippine Islands, at such time as the Philippine Legislature may fix, but not later than October 1, 1934, to formulate and draft a constitution for the government of the Commonwealth of the Philippine Islands, subject to the conditions and qualifications prescribed in this Act, which shall exercise jurisdiction over all the territory ceded to the United States by the treaty of peace concluded between the United States and Spain on the 10th day of December 1898, the boundaries of which are set forth in article III of said treaty, together_with those islands embraced in the treaty between Spain and the United States concluded at Washington on the 7th day of November 1900. The Philippine Legislature shall provide for the necessary expenses of such convention.

CHARACTER OF CONSTITUTION—MANDATORY PROVISIONS

Sec. 2. (a) The constitution formulated and drafted shall be republican in form, shall contain a bill of rights, and shall, either provi- as a part thereof or in an ordinance appended thereto, contain provisions to the effect that, pending the final and complete withdrawal of the sovereignty of the United States over the Philippine Islands—

(1) All citizens of the Philippine Islands shall owe allegiance

to the United States.

(2) Every officer of the government of the Commonwealth of the Philippine Islands shall, before entering upon the discharge of his duties, take and subscribe an oath of office, declaring, among other things, that he recognizes and accepts the supreme authority of and will maintain true faith and allegiance to the United States.

(3) Absolute toleration of religious sentiment shall be secured and no inhabitant or religious organization shall be molested in person or property on account of religious belief or mode of worship.

(4) Property owned by the United States, cemeteries, churches,

and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements used exclusively for religious, charitable, or educational purposes shall be exempt from taxation.

(5) Trade relations between the Philippine Islands and the United States shall be upon the basis prescribed in section 6.
(6) The public debt of the Philippine Islands and its subordinate branches shall not exceed limits now or hereafter fixed by the Congress of the United States; and no loans shall be contracted in foreign countries without the approval of the President of the United States.

(7) The debts, liabilities, and obligations of the present Philip- Assumption of debts, etc., by new governpine government, its Provinces, municipalities, and instrumentalities, ment. valid and subsisting at the time of the adoption of the constitution, shall be assumed and paid by the new government.

(8) Provision shall be made for the establishment and mainte- Public schools; English language. nance of an adequate system of public schools, primarily conducted in the English language.

gration shall not become law until approved by the President of the ted Acts.

United States. United States.

(10) Foreign affairs shall be under the direct supervision and Foreign affairs. control of the United States.

(11) All acts passed by the Legislature of the Commonwealth of Laws to be reported the Philippine Islands shall be reported to the Congress of the gress. United States

(12) The Philippine Islands recognizes the right of the United Rights of United States recognized. States to expropriate property for public uses, to maintain military and other reservations and armed forces in the Philippines, and, upon order of the President, to call into the service of such armed forces all military forces organized by the Philippine government.

(13) The decisions of the courts of the Commonwealth of the Philippine Islands shall be subject to review by the Supreme Court tion.

Post, p. 462.

United States Su-preme Court jurisdic-

of the United States as provided in paragraph (6) of section 7.

(14) The United States may, by Presidential proclamation, exercise the right to intervene for the preservation of the government of proclamation. the Commonwealth of the Philippine Islands and for the maintenance of the government as provided in the constitution thereof, and for the protection of life, property, and individual liberty and for the discharge of government obligations under and in accordance with the provisions of the constitution.

Right of interven-ion, by Presidential

(15) The authority of the United States High Commissioner to the Commonwealth of the Philippine Islands, as provided in this Act. shall be recognized.

United States High Commissioner to the Commonwealth of the Philippine Islands, as provided in this Act. shall be recognized. provided in this Act, shall be recognized.

(16) Citizens and corporations of the United States shall enjoy in the Commonwealth of the Philippine Islands all the civil rights of the citizens and corporations, respectively, thereof.

Civil rights.

(b) The constitution shall also contain the following provisions, tional provisions.

Additional Constitution as of the date of the proclamation of the President recognizing the independence of the Philippine Islands, as hereinafter provided:

(1) That the property rights of the United States and the Philippine Islands shall be promptly adjusted and settled, and that all existing property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to the same

Property rights to be safeguarded, etc.

extent as property rights of citizens of the Philippine Islands.

(2) That the officials elected and serving under the constitution Qualifications of constitutional officers. adopted pursuant to the provisions of this Act shall be constitutional officers of the free and independent government of the Philippine Islands and qualified to function in all respects as if elected directly under such government, and shall serve their full terms of office as prescribed in the constitution.

(3) That the debts and liabilities of the Philippine Islands, its Subsisting obligations to be assumed by Provinces, cities, municipalities, and instrumentalities, which shall new government be valid and subsisting at the time of the final and complete withdrawal of the sovereignty of the United States, shall be assumed by the free and independent government of the Philippine Islands; and that where bonds have been issued under authority of an Act of Congress of the United States by the Philippine Islands, or any Province, city, or municipality therein, the Philippine government

Bonds.

To constitute a first will make adequate provision for the necessary funds for the payment of interest and principal, and such obligations shall be a first lien on the taxes collected in the Philippine Islands.

Treaty obligations to he assumed.

(4) That the government of the Philippine Islands, on becoming independent of the United States, will assume all continuing obligations assumed by the United States under the treaty of peace with Spain ceding said Philippine Islands to the United States.

To be so embodied in treaty with United States.

(5) That by way of further assurance the government of the Philippine Islands will embody the foregoing provisions (except paragraph (2)) in a treaty with the United States.

SUBMISSION OF CONSTITUTION TO THE PRESIDENT OF THE UNITED STATES

Submission of Constitution to the President of the United States.

Sec. 3. Upon the drafting and approval of the constitution by the constitutional convention in the Philippine Islands, the constitution shall be submitted within two many of the constitutions. shall be submitted within two years after the enactment of this Act to the President of the United States, who shall determine whether or not it conforms with the provisions of this Act. If the President finds that the proposed constitution conforms substantially with the provisions of this Act he shall so certify to the Governor General of the Philippine Islands, who shall so advise the constitutional conven-If the President finds that the constitution does not conform with the provisions of this Act he shall so advise the Governor General of the Philippine Islands, stating wherein in his judgment the constitution does not so conform and submitting provisions which will in his judgment make the constitution so conform. The Governor General shall in turn submit such message to the constitutional convention for further action by them pursuant to the same procedure hereinbefore defined, until the President and the constitutional convention are in agreement.

SUBMISSION OF CONSTITUTION TO FILIPINO PEOPLE

Submission of Con-stitution to people.

Election to be held.

Time for election.

Sec. 4. After the President of the United States has certified that the constitution conforms with the provisions of this Act, it shall be submitted to the people of the Philippine Islands for their ratification or rejection at an election to be held within four months after the date of such certification, on a date to be fixed by the Philippine Legislature, at which election the qualified voters of the Philippine Islands shall have an opportunity to vote directly for or against the proposed constitution and ordinances appended thereto. Such Canvass of returns.

Canvass o election shall be held in such manner as may be prescribed by the shall be deemed an expression of the will of the people of the Philippine Islands in favor of Philippine independence, and the Governor General shall, within thirty days after receipt of the certification from the Philippine Legislature, issue a proclamation for the election of officers of the government of the Commonwealth of the Philippine Islands provided for in the constitution. The election shall take place not earlier than three months nor later than six months after the proclamation by the Governor General ordering such election. When the election of the officers provided for under the constitution has been held and the results determined, the Governor General of the Philippine Islands shall certify the results of the election to the President of the United States, who shall thereupon issue a proclamation announcing the results of the election, and upon the issuance of such proclamation by the President the New government to enter on President's existing Philippine government shall terminate and the new govern-proclamation. ment shall enter upon its rights, privileges, powers, and duties, as provided under the constitution. The present government of the Philippine Islands shall provide for the orderly transfer of the functions of government.

If a majority of the votes cast are against the constitution, the to continue, if vote be existing government of the Philippine Islands shall continue without regard to the provisions of this Act.

TRANSFER OF PROPERTY AND RIGHTS TO PHILIPPINE COMMONWEALTH

SEC. 5. All the property and rights which may have been acquired and rights to Philippine Islands by the United States under the treaties pine Commonwealth. mentioned in the first section of this Act, except such land or other property as has heretofore been designated by the President of the United States for Military and other reservations of the Government of the United States, and except such land or other property or rights or interests therein as may have been sold or otherwise disposed of in accordance with law, are hereby granted to the government of the Commonwealth of the Philippine Islands when constituted.

Post, p. 463.

RELATIONS WITH THE UNITED STATES PENDING COMPLETE INDEPENDENCE

SEC. 6. After the date of the inauguration of the government of edstates pending comthe Commonwealth of the Philippine Islands trade relations between the United States and the Philippine Islands shall be as now provided by law, subject to the following exceptions:

Relations with United States pending complete independence.

Trade relations provisions.

Antic, p. 456. vided by law, subject to the following exceptions:

Sugars.

(a) There shall be levied, collected, and paid on all refined sugars in excess of fifty thousand long tons, and on unrefined sugars in excess of eight hundred thousand long tons, coming into the United States from the Philippine Islands in any calendar year, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

(b) There shall be levied, collected, and paid on all coconut oil coming into the United States from the Philippine Islands in any calendar year in excess of two hundred thousand long tons, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign

(c) There shall be levied, collected, and paid on all yarn, twine, cord, cordage, rope and cable, tarred or untarred, wholly or in chief value of manila (abaca) or other hard fibers, coming into the United States from the Philippine Islands in any calendar year in excess of a collective total of three million pounds of all such articles hereinbefore enumerated, the same rates of duty which are required by the laws of the United States to be levied, collected, and paid upon like articles imported from foreign countries.

(d) In the event that in any year the limit in the case of any Duty-free export limarticle which may be exported to the United States free of duty shall be reached by the Philippine Islands, the amount or quantity of such articles produced or manufactured in the Philippine Islands thereafter that may be so exported to the United States free of duty issue for excess. shall be allocated, under export permits issued by the government of the Commonwealth of the Philippine Islands, to the producers or manufacturers of such articles proportionately on the basis of their exportation to the United States in the preceding year; except that

Coconnt oil.

Hard fibers, etc.

Unrefined sugar.

Graduated export

in the case of unrefined sugar the amount thereof to be exported annually to the United States free of duty shall be allocated to the sugar-producing mills of the islands proportionately on the basis of their average annual production for the calendar years 1931, 1932, and 1933, and the amount of sugar from each mill which may be so exported shall be allocated in each year between the mill and the planters on the basis of the proportion of sugar to which the mill and allocation provisions. the planters are respectively entitled. The government of the Philippine Islands is authorized to adopt the necessary laws and regulations for putting into effect the allocation hereinbefore provided.

(e) The government of the Commonwealth of the Philippine Islands shall impose and collect an export tax on all articles that may be exported to the United States from the Philippine Islands free of duty under the provisions of existing law as modified by the foregoing provisions of this section, including the articles enumerated in subdivisions (a), (b), and (c), within the limitations therein

specified, as follows:

(1) During the sixth year after the inauguration of the new government the export tax shall be 5 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign countries;

(2) During the seventh year after the inauguration of the new government the export tax shall be 10 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign

countries;

(3) During the eighth year after the inauguration of the new government the export tax shall be 15 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign

(4) During the ninth year after the inauguration of the new government the export tax shall be 20 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from foreign

countries;

(5) After the expiration of the ninth year after the inauguration of the new government the export tax shall be 25 per centum of the rates of duty which are required by the laws of the United States to be levied, collected, and paid on like articles imported from

foreign countries.

The government of the Commonwealth of the Philippine Islands shall place all funds received from such export taxes in a sinking fund, and such funds shall, in addition to other moneys available for that purpose, be applied solely to the payment of the principal and interest on the bonded indebtedness of the Philippine Islands, its Provinces, municipalities, and instrumentalities, until such indebtedness has been fully discharged.

When used in this section in a geographical sense, the term "United States" includes all Territories and possessions of the United States, except the Philippine Islands, the Virgin Islands, American Samoa, and the island of Guam.

Sec. 7. Until the final and complete withdrawal of American

sovereignty over the Philippine Islands-

(1) Every duly adopted amendment to the constitution of the government of the Commonwealth of the Philippine Islands shall be submitted to the President of the United States for approval. If the President approves the amendment or if the President fails to disapprove such amendment within six months from the time of

Sinking fund created therefrom, for liquidating indebtedness.

"United States," construed.

Provisions pending final withdrawal of American sovereignty. Submission of Con-stitutional amend-

its submission, the amendment shall take effect as a part of such constitution.

(2) The President of the United States shall have authority to Authority conferred on the President. suspend the taking effect of or the operation of any law, contract, or executive order of the government of the Commonwealth of the Philippine Islands, which in his judgment will result in a failure of the government of the Commonwealth of the Philippine Islands to fulfill its contracts, or to meet its bonded indebtedness and interest thereon or to provide for its sinking funds, or which seems likely to impair the reserves for the protection of the currency of the Philippine Islands, or which in his judgment will violate international obligations of the United States.

(3) The Chief Executive of the Commonwealth of the Philippine Islands shall make an annual report to the President and Congress of the United States of the proceedings and operations of the government of the Commonwealth of the Philippine Islands and shall make such other reports as the President or Congress may request.

(4) The President shall appoint, by and with the advice and consent of the Senate, a United States High Commissioner to the Philippine Islands who shall hold office at the pleasure of the President and until his successor

(4) The President shall appoint, by and with the advice and concommissioner to the Philippine Islands.

(4) The President shall appoint, by and with the advice and concommissioner to the Philippine Islands.

Appointment, authority, duties, etc.

Ander president shall appoint to the Philippine Islands who shall thority, duties, etc. hold office at the pleasure of the President and until his successor is appointed and qualified. He shall be known as the United States High Commissioner to the Philippine Islands. He shall be the representative of the President of the United States in the Philippine Islands and shall be recognized as such by the government of the Commonwealth of the Philippine Islands, by the commanding officers of the military forces of the United States, and by all civil officials of the United States in the Philippine Islands. He shall have access to all records of the government or any subdivision thereof, and shall be furnished by the Chief Executive of the Commonwealth of the Philippine Islands with such information as he shall request.

If the government of the Commonwealth of the Philippine Islands Report of, upon failfails to pay any of its bonded or other indebtedness or the interest to meet obligations. thereon when due or to fulfill any of its contracts, the United States High Commissioner shall immediately report the facts to the President, who may thereupon direct the High Commissioner to take over the customs offices and administration of the same, administer the same, and apply such part of the revenue received therefrom as may be necessary for the payment of such overdue indebtedness or for the fulfillment of such contracts. The United States High Commissioner shall annually, and at such other times as the President may require, render an official report to the President and Congress of the United States. He shall perform such additional duties and functions as may be delegated to him from time to time by the

President under the provisions of this Act.

The United States High Commissioner shall receive the same compensation as is now received by the Governor General of the Philippine Islands, and shall have such staff and assistants as the President may deem advisable and as may be appropriated for by Congress, including a financial expert, who shall receive for submission to the High Commissioner a duplicate copy of the reports of the insular auditor. Appeals from decisions of the insular auditor may be taken to the President of the United States. The salaries and expenses of the High Commissioner and his staff and assistants shall be paid by the United States.

The first United States High Commissioner appointed under this Act shall take office upon the inauguration of the new government of the Commonwealth of the Philippine Islands.

Compensation, etc.

Assistants, etc.

Resident Commissioner to United States.

Recognition, etc.

(5) The government of the Commonwealth of the Philippine Islands shall provide for the selection of a Resident Commissioner to the United States, and shall fix his term of office. He shall be the representative of the government of the Commonwealth of the Philippine Islands and shall be entitled to official recognition as such by all departments upon presentation to the President of credentials signed by the Chief Executive of said government. He shall have a seat in the House of Representatives of the United States, with the right of debate, but without the right of voting. His salary and expenses shall be fixed and paid by the government of the Philippine Islands. Until a Resident Commissioner is selected and qualified under this section, existing law governing the appointment of Resident Commissioners from the Philippine Islands shall continue in effect.

U.S. Supreme Court; review of cases. Ante, p. 457.

Immigration Post, p. 465.

Provisions govern-

Admittance from Hawaii.

vol. 43, p. 154. Nonquota grants. immi-

Regulatory

Assignment of For-eign Service officer.

Application of Immigration Act of 1917. Vol. 39, pp. 887, 890.

Additional provi-

(6) Review by the Supreme Court of the United States of cases from the Philippine Islands shall be as now provided by law; and such review shall also extend to all cases involving the constitution of the Commonwealth of the Philippine Islands.

SEC. 8.(a) Effective upon the acceptance of this Act by concurrent resolution of the Philippine Legislature or by a convention

called for that purpose, as provided in section 17-

(1) For the purposes of the Immigration Act of 1917, the Immi-Vol. 39, p. 874; vol. gration Act of 1924 (except section 13(c)), this section, and all other laws of the United States relating to the immigration exclusion. other laws of the United States relating to the immigration, exclusion, or expulsion of aliens, citizens of the Philippine Islands who are not citizens of the United States shall be considered as if they were aliens. For such purposes the Philippine Islands shall be considered as a separate country and shall have for each fiscal year a quota of fifty. This paragraph shall not apply to a person coming or seeking to come to the Territory of Hawaii who does not apply for and secure an immigration or passport visa, but such immigration shall be determined by the Department of the Interior on the basis of the needs of industries in the Territory of Hawaii.

(2) Citizens of the Philippine Islands who are not citizens of the United States shall not be admitted to the continental United States from the Territory of Hawaii (whether entering such Territory Nonimmigrant class before or after the effective date of this section) unless they belong to a class declared to be nonimmigrants by section 3 of the Immigration Act of 1924 or to a class declared to be nonquota immigrants under the provisions of section 4 of such Act other than subdivision (c) thereof, or unless they were admitted to such Territory under an provi- immigration visa. The Secretary of Labor shall by regulations provide a method for such exclusion and for the admission of such

(3) Any Foreign Service officer may be assigned to duty in the Philippine Islands, under a commission as a consular officer, for such period as may be necessary and under such regulations as the Secretary of State may prescribe, during which assignment such officer shall be considered as stationed in a foreign country; but his powers and duties shall be confined to the performance of such of the official acts and notarial and other services, which such officer might properly perform in respect of the administration of the immigration laws if assigned to a foreign country as a consular officer, as may

be authorized by the Secretary of State.

(4) For the purposes of sections 18 and 20 of the Immigration Act of 1917, as amended, the Philippine Islands shall be considered to be a foreign country.

(b) The provisions of this section are in addition to the provisions of the immigration laws now in force, and shall be enforced as a

part of such laws, and all the penal or other provisions of such laws not inapplicable, shall apply to and be enforced in connection with the provisions of this section. An alien, although admissible under the provisions of this section, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this section, and an alien, although admissible under the provisions of the immigration laws other than this section, shall not be admitted to the United States if he is excluded by any provision of this section.

(c) Terms defined in the Immigration Act of 1924 shall, when used in this section, have the meaning assigned to such terms in that

SEC. 9. There shall be no obligation on the part of the United Bonds and other obligations. States to meet the interest or principal of bonds and other obligations of the government of the Philippine Islands or of the Provincial and municipal governments thereof, hereafter issued during the continuance of United States sovereignty in the Philippine Islands: Provided, That such bonds and obligations hereafter issued shall not be exempt from taxation in the United States or by authority of the United States.

Terms defined. Vol. 43, p. 168

Proviso. Not tax-exempt.

RECOGNITION OF PHILIPPINE INDEPENDENCE AND WITHDRAWAL OF AMERICAN SOVEREIGNTY

Recognition of independence, etc.

Sec. 10. (a) On the 4th day of July immediately following the expiration of a period of ten years from the date of the inauguration of the new government under the constitution provided for in this Act the President of the United States shall by proclamation withdra eignty, etc withdraw and surrender all right of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States in and over the territory and people of the Philippine Islands, including all military and other reservations of the Government of the United States in the Philippines (except such naval Naval, etc., reservareservations and fueling stations as are reserved under section 5), and, on behalf of the United States, shall recognize the independence of the Philippine Islands as a separate and self-governing nation and acknowledge the authority and control over the same of the government instituted by the people thereof, under the constitution then in force.

Effective date.

Withdrawal of sover-

Ante, p. 459.

(b) The President of the United States is hereby authorized and Negotiations respect-empowered to enter into negotiations with the government of the stations. Philippine Islands, not later than two years after his proclamation recognizing the independence of the Philippine Islands, for the adjustment and settlement of all questions relating to naval reservations and fueling stations of the United States in the Philippine Islands, and pending such adjustment and settlement the matter of naval reservations and fueling stations shall remain in its present status.

NEUTRALIZATION OF PHILIPPINE ISLANDS

SEC. 11. The President is requested, at the earliest practicable date, sought. Neutralization to be to enter into negotiations with foreign powers with a view to the conclusion of a treaty for the perpetual neutralization of the Philippine Islands, if and when Philippine independence shall have been achieved.

NOTIFICATION TO FOREIGN GOVERNMENTS

SEC. 12. Upon the proclamation and recognition of the independ- Recognition by forence of the Philippine Islands, the President shall notify the governments to be invited.

ments with which the United States is in diplomatic correspondence thereof and invite said governments to recognize the independence of the Philippine Islands.

TARIFF DUTIES AFTER INDEPENDENCE

Tariff duties after independence.

Proviso. Conference on trade relations to be held.

Sec. 13. After the Philippine Islands have become a free and independent nation there shall be levied, collected, and paid upon all articles coming into the United States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from other foreign countries: Provided, That at least one year prior to the date fixed in this Act for the independence of the Philippine Islands, there shall be held a conference of representatives of the Government of the United States and the government of the Commonwealth of the Philippine Islands, such representatives to be appointed by the President of the United States and the Chief Executive of the Commonwealth of the Philippine Islands, respectively, for the purpose of formulating recommendations as to future trade relations between the Government of the United States and the independent government of the Philippine Islands, the time, place, and manner of holding such conference to be determined by the President of the United States; but nothing in this proviso shall be construed to modify or affect in any way any provision of this Act relating to the procedure leading up to Philippine independence or the date upon which the Philippine Islands shall become independent.

IMMIGRATION AFTER INDEPENDENCE

Immigration after independence. SEC. 14. Upon the final and complete withdrawal of American sovereignty over the Philippine Islands the immigration laws of the United States (including all the provisions thereof relating to persons ineligible to citizenship) shall apply to persons who were born in the Philippine Islands to the same extent as in the case of other foreign countries.

CERTAIN STATUTES CONTINUED IN FORCE

Certain statutes continued in force.

SEC. 15. Except as in this Act otherwise provided, the laws now or hereafter in force in the Philippine Islands shall continue in force in the Commonwealth of the Philippine Islands until altered, amended, or repealed by the Legislature of the Commonwealth of the Philippine Islands or by the Congress of the United States, and all references in such laws to the government or officials of the Philippines or Philippine Islands shall be construed, insofar as applicable, to refer to the government and corresponding officials respectively of the Commonwealth of the Philippine Islands. The government of the Commonwealth of the Philippine Islands shall be deemed successor to the present government of the Philippine Islands and of all the rights and obligations thereof. Except as otherwise provided in this Act, all laws or parts of laws relating to the present government of the Philippine Islands and its administration are hereby repealed as of the date of the inauguration of the government of the Commonwealth of the Philippine Islands.

Saving clause.

SEC. 16. If any provision of this Act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the applicability of such provisions to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE

Sec. 17. The foregoing provisions of this Act shall not take effect until accepted by concurrent resolution of the Philippine Legislature or by a convention called for the purpose of passing upon that question as may be provided by the Philippine Legislature.

Approved, March 24, 1934.

Effective date.

[CHAPTER 86.]

AN ACT

Fixing the date for holding elections of a Delegate from Alaska to the House of Representatives and of members of the Legislature of Alaska; fixing the date on which the Legislature of Alaska shall hereafter meet; prescribing the personnel of the territorial canvassing board, defining its duties, and for other purposes.

March 26, 1934 [H.R. 6185.] [Public, No. 128.]

Be it enacted by the Senate and House of Representatives of the of a Delegate from the Territory of Alaska to the House of Representatives provided for by the Act of Congress entitled "An Act House of Representatives from the Territory of Alaska", approved May 7, 1906, as amended, and the election of the members of the Legislature of the Territory of Alaska, provided for by the Act of Congress entitled "An Act House of Representatives from the Territory of Alaska", approved May 7, 1906, as amended, and the election of the members of the Legislature of the Territory of Alaska, provided for by the Act of Congress entitled "An Act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes", approved August 24, 1912, shall hereafter be held on the second Tuesday in September in the year 1934, and every second year there-

after on the said second Tuesday in September.

Sec. 2. That the Legislature of the Territory of Alaska shall hereafter convene at the capitol at the city of Juneau, Alaska, on the ture vol. 37, p. 514 second Monday in January in the year 1935, and on the second Monday in January every two years thereafter.

Sessions of Legisla-

SEC. 3. That the canvassing board for the Territory of Alaska Composition, duties, election of a Delegate to the House of Representatives from the Territory of Alaska, approved May 7, 1906, shall hereafter consist of the Governor, the secretary of the Territory, and the collector of customs for Alaska. It shall be the duty of the said canvassing beard to converse and compile in writing the vote specified in the board to canvass and compile in writing the vote specified in the certificates of election returned to the Governor from the several election precincts in the Territory and to keep an accurate record kept. of each voting precinct in the Territory and the date of its creation.

The said canvassing board shall commence the performance of its

Accurate record to be

Period of services

Opening returns.

duties at the office of the Governor within ten days after the second Tuesday in October in each year in which an election is held as hereinabove provided, and shall continue with such work from day to day until the same is completed. No packages containing election returns shall be opened until the canvass commences, at which time they shall be opened in public and in such manner and under such conditions, as nearly as possible, as to give all parties interested an opportunity to see the returns. In case it shall appear to the board that no election return, as herein prescribed, has been received by the Governor from any precinct in which an election has been held, the said board may accept in place thereof the certified copy of the certificate of election for such precinct received from the clerk of the court, and may canvass and compile the same with the other election returns. The canvassing board shall terminate the canvass and issue the certificates of election so soon as it is satisfied that no where returns justify. missing return would, if received, change the result of a canvass

Certifying

returns.

Treatment of missing based upon the returns at hand, but when the board has information that an election was held at any precinct from which no return has been received and which return, if received, the board has reason to believe will affect the result of the election, it shall be the duty of the board to await the arrival of such return until 4 o'clock postmeridian on the 10th day of December in the year during which the election is held, but no longer, and any return received after that time shall not be counted by the board.

Elections, provisions

Upon the completion of the said canvass as herein provided, the said board shall declare the person who has received the greatest number of votes for the office for which he is a candidate elected to such office for the term for which he is elected, and shall issue and deliver to him in writing, under their hands and seals, a certificate of his election. It shall be the duty of the Governor to preserve all election returns carefully and inviolate, and, after the certificates of result have been canvassed, to replace the returns into the packages from which they were taken and carefully seal the same and preserve all such returns inviolate for at least two years thereafter, unless sooner called upon by the House of Representatives of Congress or some court or tribunal of competent jurisdiction to produce the same for inspection. It shall also be the duty of the Governor to notify each successful candidate of his election, and to do so by the speediest means of communication.

Notice to be given.

Effect of existing

Alterations, etc.

Authority of territorial legislature.

Sec. 4. Except as herein otherwise provided, all of the provisions of the Acts of May 7, 1906, and of August 24, 1912, hereinabove referred to, shall continue in full force and effect until altered, amended, or repealed by Congress. And any and all laws enacted by the Legislature of the Territory of Alaska pertaining to elections in said Territory shall remain in full force and effect until altered. amended, or repealed by the said Legislature or by Congress. That the Legislature of the Territory of Alaska shall have the power from time to time as the need therefor may arise, to change the date of general elections in the said Territory, including the date of election of a Delegate from the Territory of Alaska to the House of Representatives and of the members of the territorial legislature; and that the Legislature of the Territory of Alaska shall also have the power by law to change from time to time the personnel of the canvassing board, the dates of its meetings, and may prescribe its duties. Approved, March 26, 1934.

[CHAPTER 87.]

AN ACT

March 26, 1934. [H.R. 7808.] [Public, No. 129.]

To authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes.

To cover deficiencies in Treasurer's accounts.

Be it enacted by the Senate and House of Representatives of the Foreign service off United States of America in Congress assembled, That there are Foreign service omcers and employees.
Annual appropriations authorized to be appropriated annually such such sary to enable the President, in his discretion and under such regulations.

Post. pp. 834, 1060.

Post. pp. 834, 1060. cers, enlisted men, and employees of the United States while in service in foreign countries due to the appreciation of foreign currencies in their relation to the American dollar, and to cover any deficiency in the accounts of the Treasurer of the United States, including interest, arising out of the arrangement approved by the President on July 27, 1933, for the conversion into foreign currencies of checks

and drafts of officers, enlisted men, and employees for salaries and expenses: Provided, That such action as the President may take shall be binding upon all executive officers of the Government: Provided binding. further, That no payments authorized by this Act shall be made to any officers, enlisted men, or employees for periods during which their checks or drafts were converted into foreign currencies under the arrangement hereinbefore referred to: Provided further, That allowances herein ances and expenditures pursuant to this Act shall not be subject to tax.

Allowances herein not subject to tax.

Report of expenditures to Congress. shall report all expenditures made for this purpose to Congress annually with the Budget estimates.

Action of President Restriction.

Approved, March 26, 1934.

[CHAPTER 88.]

AN ACT

To repeal Federal liquor prohibition laws to the extent they are in force in the _ Territory of Hawaii.

March 26, 1934. [S. 2728.] [Public, No. 130.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act Federal liquor laws entitled "An Act to prohibit the sale, manufacture, and importation in force in, repealed. Of intoxicating liquors in the Territory of Hawaii during the period U.S.C., p. 1601. of the war, except as hereinafter provided", approved May 23, 1918

(U.S.C., title 48, sec. 520), is repealed.

SEC. 2. Title II of the National Prohibition Act, as amended and supplemented, and the Act entitled "An Act to provide revenue by the taxation of certain nonintoxicating liquor, and for other purposes", approved March 22, 1933, except such provisions of such title and of such Act of March 22, 1933, as shall be retained in force and effect in the States, are repealed to the extent such title and such Act of March 22, 1933, are in force and effect in the Territory of Hawaii.

Other provisions repealed. Vol. 41, p. 307. Ante, p. 16.

SEC. 3. Section 13 of the Revised Statutes (U.S.C., title 1, sec. 29) shall not apply with respect to any penalty, forfeiture, or liability incurred under any provision repealed by this Act.

Liabilities. R.S., sec. 13, p 2. U.S.C., p. 2.

Approved, March 26, 1934.

[CHAPTER 89.]

AN ACT

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1935, and for other

March 26, 1934. [H.R. 8134.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following culture, etc., appropriations, fiscal year 1935. wise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1935, namely:

Department of Agri-

TITLE I—DEPARTMENT OF AGRICULTURE

Department of Agriculture.

OFFICE OF THE SECRETARY

Secretary's office.

SALARIES

For the Secretary of Agriculture, Under Secretary of Agriculture, Secretary, Under Secretary, Assistant, and \$10,000, and there is hereby established in the Department of Agri-other personal services. culture the position of Under Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the

Restriction not applicable to elerical-mechanical service. No reduction in fixed

Vol. 42, p. 1490; U.S. C., p. 66. Transfers to another position without reduc-

If only one position in a grade.

Contracts for stenographic reporting.

quarters abroad.

Vol. 46, p. 818. U.S C , Supp. VII, p.

Predicting future prices of cotton forbidden.

Senate, and whose compensation shall be at the rate of \$10,000 per annum, Assistant Secretary, and for other personal services in the Provisos.
Salaries limited to average rates under Classification Act of the payment for personal services in the District of Columbia, and elsewhere, \$548,560: Provided, That in expending appropriations or portions of appropriations contained in Classification Act of the District of 45, p. 776; Vol. 46, p. Columbia in accordance with the Classification Act of 1923, as 1003. U.S.C., p. 65; Supp. amended, with the exception of the Assistant Secretary, the average II, p. 34. Exception. of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act as amended: Provided further, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other Higher rates per appropriation unit, (4) to prevent the payment of a salary under mitted any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923 as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this Act shall be available for such purposes: Purchasing options Provided further, That the Secretary of Agriculture is authorized on land. to expend from appropriations available for the purchase of lands not to exceed \$1 for each option to purchase any particular tract Allowances for living or tracts of land: Provided further, That not to exceed \$22,990 of the larters abroad. appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), but the amount so used for any one person shall not exceed the amount permitted by law to be so used, during the fiscal year 1935, for any one person in the foreign service of the Department of Commerce: Provided further, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written. or forecast with respect to future prices of cotton or the trend of same.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

Department contingent expenses

For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, furniture, carpets, and mattings; for freight, express charges, advertising and press clippings, telegraphing, telephoning, postage, washing towels; for the maintenance, repair, and operation of not to exceed three (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase and exchange of one motor-propelled passenger-carrying vehicle, at a net cost of not to exceed \$2,500, and one motorcycle for official purposes only; for the payment of the Department of Agriculture's proportionate share of the expense of the dispatch agent in New York; for official traveling expenses,

Dispatch agent, New York.

including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, \$115,048: Provided, That the Secretary of Agriculture, during the fiscal year 1935, may maintain stocks of stationery, supplies, equip-tionery, etc., stocks ment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate, \$200,000 in value at the close of the fiscal year, and the laneous expenses. appropriations made for such bureaus and offices for such stocks shall be available to reimburse the appropriation for miscellaneous expenses current at the time supplies are issued: Provided further, That the appropriations made hereunder shall be available for the Employees, handling, etc., supplies. payment of salaries of employees engaged in purchasing, storing, handling, packing, or shipping of supplies and blank forms, and the amount of such salaries shall be charged proportionately as a part of the cost of supplies issued, and in the case of blank forms and supplies not purchased from this appropriation the amount of such salaries shall be charged proportionately to the proper appropriation: Provided further, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be units. used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: Provided further, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget.

Provisos.

Maximum allotment. Available for miscel-

Use of central store-house to avoid separate

Rent.

For rent of buildings and parts of buildings in the District of Buildings in the Dis-Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, \$63,000. Total, Office of the Secretary, \$726,608.

RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

OFFICE OF INFORMATION

Information Office.

SALARIES AND GENERAL EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, including labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, \$323,641, of which not to exceed \$308,394 may be used for personal services in the District of Columbia.

PRINTING AND BINDING

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$610,466, including the purchase of reprints of scientific and technical articles published in periodicals and journals; printing the proceedings of national Veterinary Congress to be held in the Congress. United States during the fiscal year 1935, not to exceed \$11,000; the Annual Report of the Secretary of Agriculture, as required by the Act approved January 12, 1895 (U.S.C., title 44, secs. 111, 212–220,

Salaries and expenses.

Printing and binding.

Farmers' bulletins.

Exception.

Vol. 40, p. 1270. U.S.C., pp. 1421, 1430.

222, 241, 244, 257), and in pursuance of the Joint Resolution Numbered 13, approved March 30, 1906 (U.S.C., title 44, secs. 214, 224), and also including not to exceed \$250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Weather Bureau and the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (U.S.C., title 44, secs. 111, 220).

Total, Office of Information, \$934,107.

Library

LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses.

Salaries and expenses: For purchase and exchange of books of reference, law books, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed \$1,200 for newspapers, and when authorized by the Secretary of Agriculture for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, \$87,812, of which amount not to exceed \$63,738 may be expended for personal services in the District of Columbia.

Experiment Stations Office.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO FOR AGRICUL-TURAL EXPERIMENT STATIONS

Support of stations. Vol. 24, p. 440. U.S.C., p. 115. Vol. 12, p. 503. U.S.C., p. 111.

To carry into effect the provisions of an Act approved March 2, 1887 (U.S.C., title 7, secs. 362, 363, 365, 368, 377-379), entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862 (U.S.C., title 7, secs. 301-308), and of the Acts supplementary thereto", the sums apportioned to the several States, to be paid quarterly in advance, \$720,000.

Allotment of additional appropriations.
Vol. 34, p. 63.
U.S.C., p. 115.

To carry into effect the provisions of an Act approved March 16, 1906 (U.S.C., title 7, sec. 369), entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof", and Acts supplementary thereto, the sums apportioned to the several States to be paid quarterly in advance, \$720,000.

Further allotments. Vol. 43, p. 970. U.S.C., p. 115.

To carry into effect the provisions of an Act entitled "An Act to authorize the more complete endowment of agricultural experiment

stations", approved February 24, 1925 (U.S.C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), \$2,880,000.

Extending benefits to Hawaii. To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the U.S.C., Supp. VII, p. 62.

Extension work in Alaska: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the U.S.C., Supp. VI, title 7, secs. 386–386b), \$28,000.

Extension work in Extension Alaska. Vol. 45, p. 1256. U.S.C., Supp. VII,

Alaska: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the territory of Alaska," approved February 23, 1929 (U.S.C., Supp. VI, title 7, sec. 386c), \$15,000.

Puerto Rico: To carry into effect the provisions of an Act entitled "An Act to coordinate the agricultural experiment station work and to extend the benefits of certain Acts of Congress to the p. 62. Extending benefits to Puerto Rico. Vol. 46, p. 1520. U.S.C., Supp. VII, p. 62. Territory of Puerto Rico", approved March 4, 1931 (U.S.C., Supp. VI, title 7, secs. 386d-386f), \$25,000.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations, \$4,388,000.

SALARIES AND GENERAL EXPENSES

Salaries and expenses.

To enable the Secretary of Agriculture to enforce the provisions of the Acts approved March 2, 1887 (U.S.C., title 7, secs. 362, 363, Stations, etc. Vol. 24, p. 440; Vol. 365, 368, 377–379), March 16, 1906 (U.S.C., title 7, secs. 369, 375), 34, p. 63; Vol. 43, p. 57; Vol. 45, pp. 571, February 24, 1925 (U.S.C., title 7, secs. 361, 366, 370, 371, 373–376, 1256; Vol. 46, p. 1520, 380, 382), May 16, 1928 (U.S.C., Supp. VI, title 7, secs. 386–386b), VII. p. 62. February 23, 1929 (U.S.C., Supp. VI, title 7, sec. 386c), and March 4 1921 (U.S.C. Supp. VI title 7 secs. 386d–386f), and Acts amenda. 4, 1931 (U.S.C., Supp. VI, title 7, secs. 386d-386f), and Acts amendatory or supplementary thereto, relative to their administration and lar possessions. for the administration of agricultural experiment stations in Hawaii and Puerto Rico, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and of Agriculture shall prescribe the form of the annual financial statements, forms. statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said Acts, and make report thereon to Congress.

Insular experiment stations: To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Hawaii and Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$64,977, as follows: \$31,162 for Hawaii, and \$33,815 for Puerto Rico; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land of receipts. belonging to the agricultural experiment stations in Hawaii and Puerto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous

receipts.

In all, salaries and expenses, \$202,102.

Total, Office of Experiment Stations, \$4,590,102, of which amount not to exceed \$126,792 may be expended for personal services in the District of Columbia, and not to exceed \$750 shall be available for the purchase of motor-propelled and horse-drawn passengercarrying vehicles necessary in the conduct of field work outside the District of Columbia.

Outside rent.

Insular stations. experiment

Allotments.

Vehicles for field work.

EXTENSION SERVICE

Extension Service.

PAYMENTS TO STATES, HAWAII, AND ALASKA

For cooperative agricultural extension work, to be allotted, paid, Cooperative extension work allotments. and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the Act of May 8, 1914 (U.S.C., title 7, secs. 341–348), U.S.C., p. 114; Supp. entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an Act of Congress approved July 2, 1862 (U.S.C.,

Use as agreed upon. mutually

Proviso.
County agents.

Further cooperation with State colleges. Vol. 12, p. 503; Vol. 38, p. 372; Vol. 45, p. 711. U.S.C., p. 111; Supp. VII, p. 61.

Extension work in Alaska. Vol. 45, p. 1256. U.S.C., Supp. VII, p. 62.

Additional coopera-

title 7, secs. 301-308), and of Acts supplementary thereto, and the United States Department of Agriculture", \$1,580,000; and all sums appropriated by this Act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said Act of May 8, 1914: Provided, That of the above appropriation not more than \$300,000 shall be expended for purposes other than salaries of county agents.

To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts', approved July 2, 1862 (U.S.C., title 7, secs. 301–308), and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 22, 1928 (U.S.C., Supp. VI, title 7, secs. 343a, 343b), \$1,480,000.

Alaska: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U.S.C., Supp. VI, title 7, sec. 386c), \$12,000.

Additional cooperative agricultural extension work: For additional cooperative agricultural extension work, including employment of specialists in economics and marketing, to be allotted and paid by the Secretary of Agriculture to the several States and the Territory of Hawaii in such amounts as he may deem necessary to accomplish such purposes, \$1,000,000.

In all, payments to States, Hawaii, and Alaska for agricultural extension work, \$4,072,000.

SALARIES AND GENERAL EXPENSES

Administrative

penses.

Farmers' coopera-

tive work.

roviso. Voluntary contribu-tions within State ac-cepted.

Agricultural exhibits at fairs.

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, \$12,426. Farmers' cooperative demonstration work: For farmers' coopera-

tive demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$684,648: Provided, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers. universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

Agricultural exhibits at fairs: To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance in or outside the city of Washington, \$66,510.

Cooperative farm forestry: For cooperation with appropriate officials of the various States or with other suitable agencies to assist the owners of farms in establishing, improving, and renewing wood lots, shelter belts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops under the provisions of section 5 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor ", approved June 7, 1924 (U.S.C., title 16, secs. 564-570, including personal services in the District of Columbia, \$51,354.

In all, salaries and expenses, \$814,938, of which amount not to trict. Services in the Disexceed \$405,946 may be expended for personal services in the District

of Columbia.

Total, Extension Service, \$4,886,938.

Grand total, office of the Secretary of Agriculture, \$11,225,567.

WEATHER BUREAU

SALARIES AND GENERAL EXPENSES

For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska the provisions of an Act approved October 1, 1890 (U.S.C., title 15, secs. 311-313, 317), so far as they relate to the weather service transferred thereby to the Department of Agriculture, and the amendment thereof contained in section 5 (e) of the Air Commerce Act of 1926 (U.S.C., Supp. VI, title 15, sec. 313), for the employment of professors of meteorology, district forecasters, local forecasters, meteorologists, section directors, observers, apprentices, operators, skilled mechanics, instrument makers, fore men, assistant foremen, proofreaders, compositors, pressmen, lithographers, folders and feeders, repair men, station agents, messengers, messenger boys, laborers, special observers, display men, and other necessary employees; for fuel, gas, electricity, freight and express charges, furniture, stationary, ice, dry goods, twine, mats, oil, paints, glass, lumber, hardware, and washing towels; for advertising; for purchase, subsistence, and care of horses and vehicles, the purchase and repair of harness, for official purposes only; for instruments, shelters, apparatus, storm-warning towers and repairs thereto; for rent of offices; for repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; and the erection of temporary buildings for living quarters of observers; for official traveling expenses; for telephone rentals, and for telegraphing, telephoning. and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines; and for every other expenditure required for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gaging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops, and for other necessary observations and reports,

Cooperative farm for-estry.

Wood lots, etc. Timber crops.

Vol. 43, p. 654. U.S.C., p. 427,

Weather Bureau.

General expenses.

Classification of.

Vol. 26, p. 653. U.S.C., p. 381.

Air Service reports. Vol. 44, p. 571. U.S.C., Supp. VII, p. . Personal services.

Contingent expenses.

Telegraphing, etc.

Issuing forecasts and warnings.

¹ So in original.

Chief of bureau, and office personnel.

General weather service and research.

Weather relationship to forest fires. Vol. 45, p. 701. U.S.C., Supp. VII, p. International Mete-orological Committee.

Horticultural protec-

Aerological stations.

Cooperation with including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$112,857.

General weather service and research: For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District of Columbia and elsewhere, including \$3,815 for investigations of the relationship of weather conditions to forest fires, under section 6 of the Act approved May 22, 1928 (U.S.C., Supp. VI, title 16, sec. 581e), \$1,806,519, of which not to exceed \$800 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, and not to exceed \$10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau. Horticultural protection: For investigations, observations, and

reports, forecasts, warnings, and advices for the protection of horticultural interests, \$31,857. Aerology: For the maintenance of stations for observing, meas-

vring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, \$1,081,059.

Total, Weather Bureau, \$3,032,292, of which amount not to exceed \$420,850 may be expended for personal services in the District of Columbia.

Animal Industry Bu-reau

BUREAU OF ANIMAL INDUSTRY

SALARIES AND GENERAL EXPENSES

Contagious diseases. Vol. 33 p. 1264. U S.C., p. 633.

Cattle quarantine.

Vol. 34, p. 607. U.S.C , p. 1444.

Animal viruses, etc. Vol. 37 p. 832 U.S.C., p. 634

General expenses. Vol. 23, p. 31.
U.S.C., pp. 117, 631.
Vol. 26, p. 833.
U.S.C., p. 1444.
Vol. 26, p. 414; Vol.
32, p. 791.
U.S.C., pp. 630, 631, for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other provisions. the United States to foreign countries, and for other purposes; the Act approved August 30, 1890 (U.S.C., title 21, secs. 101-105), providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act approved February 2, 1903 (U.S.C., title 21, secs. 111-113, 120-122), to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes; and also the provisions of the Act approved March 3, 1905 (U.S.C., title 21, secs. 123-128), to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other livestock therefrom, and for other purposes; and for carrying out the proposes. visions of the Act of June 29, 1906 (U.S.C., title 45, secs. 71-74), entitled "An Act to prevent cruelty to animals while in transit by railroad or other means of transportation"; and for carrying out the provisions of the Act approved March 4, 1913 (U.S.C., title 21, secs. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manu-

factured in the United States and the importation of such products intended for use in the treatment of domestic animals; and for carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U.S.C., title 7, secs. 181-229); and to enable the Secretary of Agriculture to collect and disseminate infor-stock information. mation concerning livestock and animal products; to prepare and disseminate reports on animal industry; to employ and pay from the apropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the etc. open market samples of all tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals, including Purchase and depoultry, or quarantine the same whenever in his judgment essential animals. to prevent the spread of pleuropneumonia, tuberculosis, contagious etc. poultry diseases, or other diseases of animals from one State to another, as follows:

General administrative expenses: For necessary expenses for gen- Chief of bureau, and eral administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$162,185.

Inspection and quarantine: For inspection and quarantine work, Inspection and quarincluding all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the twenty-eight hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, \$622,090.

Eradicating tuberculosis: For investigating the diseases of tuber- Eradicating tuberculosis. culosis and paratuberculosis of animals, and avian tuberculosis, for their control and eradication, for the tuberculin testing of animals, and for researches concerning the causes of the diseases, their modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, or State, Territory, or county authorities, \$4,042,179, of which \$1,042,179 shall be set aside for administrative and operating expenses and \$3,000,000 for the payment of indemnities: *Provided*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it make destroyed. shall be necessary to condemn and destroy tuberculous or paratuber-culous cattle, if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary, within the limitations above provided, for the payment of indemnities, for the reimbursement of owners of such animals, in cooperation with such States, Territories, counties, or municipalities, as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous or paratuberculous cattle and for compensation to owners of cattle so condemned, but no part of the money hereby appropriated shall be

Packers and Stockyards Act.
Vol. 42, p. 159.
U.S.C., p. 102.
Collecting, etc., live-

Tuberculin, serums,

Pleuropneumonia,

Methods, etc.

¹ So in original.

used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensa-tion for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being Restriction on pay slaughtered: Provided further, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any purebred animal, and that no payment shall be made unless

Eradicating cattle

Prociso. Limitation on purchases.

Big Springs, Tedemonstrations, etc. Tex.,

Condition.

Provise.
Poultry feeding, etc.

Animal disease investigations. Beltsville, Md.

Proviso. Contagious abortion of animals.

Hog cholera investi-gations, etc.

the owner has complied with all lawful quarantine regulations. Eradicating cattle ticks: For all necessary expenses for the eradication of southern cattle ticks, \$562,007, of which \$150,000 shall be immediately available: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstra-tions; nor shall any part of this appropriation be used in the pur-chase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Animal husbandry: For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations and other agencies, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, \$592,675, including \$12,500 for livestock experiments and demonstrations at Big Springs and/or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year ending June 30, 1935: Provided, That of the sum thus appropriated \$148,430 may be used for experi-

ments in poultry feeding and breeding.

Diseases of animals: For all necessary expenses for scientific investigations of diseases of animals, including the construction of neces-Bethesda, Md., sta- sary buildings at Beltsville, Maryland, the maintenance of the bureau experiment station at Bethesda, Maryland, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, \$336,949: Provided, That of said sum \$68,480 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious

abortion of animals.

Eradicating hog cholera: For investigating the disease of hog cholera and related swine diseases, and for their control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either inde-

pendently or in cooperation with farmers' associations, State or county authorities, \$340,515: Providea, That of Said Sum \$4.25, Shall be available for expenditure in carrying out the provisions of viruse, etc. shall be available for expenditure in carrying out the provisions of viruse, etc. yol. 37, p. 832 U.S.C., p. 634. the Act approved March 4, 1913 (U.S.C., title 21, secs. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: Provided further, That of said Pathological resum \$25,520 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of these diseases.

Eradicating dourine: For all necessary expenses for the investigation, treatment, and eradication of dourine, \$7,871.

Packers and Stockyards Act: For necessary expenses in carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U.S.C., title 7, secs. 181–229), \$307,493: Provided, Provises.

That the Secretary of Agriculture may require reasonable bonds and dealers.

Packers and Stockyards Act. Vol. 42, p. 159.
U.S.C., p. 102.
Provises.

Bonds from agencies and dealers. from every market agency and dealer, under such rules and regulations as he may prescribe to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds suspension for violaany registrant is insolvent or has violated any provisions of said Act he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction: Provided further, That the Secretary of Agriculture may, whenever necessary, authorize the charging and collection from owners of a Fee for inspecting reasonable fee for the inspection of brands appearing upon livestock subject to the provisions of the said Act for the purpose of determining the ownership of such livestock: Provided further, That such requested. fee shall not be imposed except upon written request made to the Secretary of Agriculture by the Board of Livestock Commissioners, or duly organized livestock association of the States from which such livestock have originated or been shipped to market.

In all, salaries and expenses, \$6,973,964.

MEAT INSPECTION

For additional expenses in carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U.S.C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U.S.C., title 21, sec. 71-94), and as extended to equine meat by the Act of July 24, 1919 (U.S.C., title 21, sec. 96), including the purchase of tags, labels, stamps, and certificates printed in course of manufacture, \$1,828,823.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

In case of an emergency arising out of the existence of foot-and- Emergency, eradicat-mouth disease, rinderpest, contagious pleuropneumonia, or other etc., diseases. contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend, in the city of Washington or elsewhere, any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including the Payment for depayment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has

Provisos.
Regulating trade in

Eradicating dourine.

Not imposed unless

Meat inspection.

Additional expenses. Vol. 34, pp. 674, 1280. U.S.C., p. 630. Equine meat. Vol. 41, p. 241. U.S.C., p. 630.

Contagious diseases of animals.

Use of balances.

Provisos. Appraisement based on meat, etc., value.

complied with all lawful quarantine regulations: Provided, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one half of any such appraisements:

Provided further, That the sum of \$5,000 of the unexpended balance of the appropriation of \$3,500,000, contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year 1935 to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases

Eradicating pean fowl pest. Vol. 43, p. 682.

Services in the Dis-

Vehicles

in poultry.

Total, Bureau of Animal Industry, \$8,802,787, of which amount

Total, Bureau of Animal Industry, \$8,802,787, of which amount

1,0710,070, may be expended for departmental personal not to exceed \$712,970 may be expended for departmental personal services in the District of Columbia, and not to exceed \$48,480 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Dairy Industry Bureau.

BUREAU OF DAIRY INDUSTRY

General expenses.

SALARIES AND GENERAL EXPENSES

Investigations, etc. Vol. 43, p. 243. U.S.C., p. 117.

For carrying out the provisions of the Act approved May 29, 1924 (U.S.C., title 7, secs. 401-404), establishing a Bureau of Dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, as follows:

Chief of bureau, and office personnel.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the chief of bureau and other personal services in the District of Columbia, \$56,514.

Investigations, demonstrations, etc

Dairy investigations: For conducting investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, and inspection of renovatedbutter factories, including repairs to buildings, not to exceed \$5,000 for the construction of buildings, \$503,348.

Total, Bureau of Dairy Industry, \$559,862, of which amount not to

Services in the Dis-

exceed \$282,862 may be expended for personal services in the District of Columbia.

Plant Industry Bureau.

BUREAU OF PLANT INDUSTRY

General expenses.

SALARIES AND GENERAL EXPENSES

Investigating fruits, plants, products, etc.

Proviso

Limit for buildings. Field, etc., expenses.

vestigators, etc.

For all necessary expenses in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries in cooperation with other branches of the department, the State experiment stations, and practical farmers, and for the erection of necessary farm buildings: Provided, That the cost of any building erected shall not exceed \$1,500; for field and station expenses, including fences, drains, and other farm improvements; for repairs in the District of Columbia and elsewhere; for rent outside of the District of Columbia; and for Employment of in the employment of all investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, and all

labor and other necessary expenses in the city of Washington and

elsewhere required for the investigations, experiments, and demonstrations herein authorized as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$171,569.

Arlington Farm: For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April 18, 1900 (31 Stat., pp. 135, 136), \$44,469: Provided, That the limitations Cost limitation not in this Act as to the cost of farm buildings shall not apply to this applicable. paragraph.

Botany: For investigation, improvement, and utilization of wild plants and grazing lands, and for determining the distribution of

weeds and means of their control, \$33,816.

Cereal crops and diseases: For the investigation and improvement classes, improvement, of cereals, including corn, and methods of cereal production and for etc. the study and control of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broomcorn and methods of broomcorn production, \$415,048.

Cotton production and diseases: For investigation of cotton pro- Cotton production and diseases. duction, including the improvement by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation and

control of diseases, \$173,092.

Drug and related plants: For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and byproducts, \$34,101.

Dry-land agriculture: For the investigation and improvement of object, agriculture. methods of crop production under subhumid, semiarid, or dry-land conditions, \$197,945: Provided, That no part of this appropriation shall be used for the establishment of any new field station.

Experimental greenhouse maintenance: For maintenance and Experimental operation of experimental greenhouses and adjacent experimental

grounds and plots, \$71,239.

Forage crops and diseases: For the purchase, propagation, testing, Forage crops and and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation and control of diseases, \$174,596.

Foreign plant introduction: For investigations in foreign seed plant introduction. For investigations in foreign seed plant introduction. and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, \$218,297, of which \$20,000 shall be immediately available.

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including \$117,600 for investigations of diseases of forest trees and forest products, under section 3 of the Act approved May 22, 1928 (U.S.C., 327. Supp. VI, title 16, sec. 581b), \$237,066.

Fruit and vegetable crops and diseases: For investigation and Fruit and vegetable control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related

Chief of bureau, and office personnel.

Arlington, Va., ferm.

Vol. 31, p. 135.

Wild plants and grazing lands.

Flax, broomcorn, etc.

Drug, etc., plants.

Rare, etc., seeds.

Forest pathology.

Vol. 45, p. 701. U.S.C., Supp. VII, p.

plants, for investigation of methods of harvesting, packing, shipping, storing, and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, \$990,936.

Geneties and physics, investigations.

Plant disease survey,

National Arboretum,

Landscape architects.

Nematology.

Plant nutrition. Rubber, fiber, and other tropical plants.

Seed investigations. Testing commercial seeds and grasses.

International Testing Congress.

Sugar Plant investigations.

Tobacco investiga-

Western irrigation agriculture. Utilizing

Services in the District.

Genetics and biophysics: For biophysical investigations in connection with the various lines of work herein authorized, \$28,753.

Mycology and disease survey: For mycological collections and the

maintenance of a plant-disease survey, \$39,342.

National Arboretum: For the maintenance of the National Vol. 44, p. 1422.
U.S.C., Supp. VII, Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (U.S.C., Supp. VI, title 20, secs. 191–194), including the erection of buildings, salaries in the city of Washington and elsewhere, traveling expenses of employees and advisory council, and other necessary expenses, \$4,146, of which such amounts as may be necessary may be expended by contract or otherwise for the services of consulting landscape architects without reference to the Classification Act of 1923, as amended, or civil service rules.

Nematology: For crop technological investigations, including the

study of plant-infesting nematodes, \$40,327.

Plant nutrition: For plant-nutrition investigations, \$14,660.

Rubber, fiber, and other tropical plants: For investigation of crops introduced from tropical regions, and for the improvement of rubber, abaca, and other fiber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, \$60,035.

Seed investigations: For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such Preventing admission, etc.

Vol. 37, p. 506; Vol. by whom the seeds were offered for sale, and for carrying out the 44, p. 325.
U.S.C., p. 95; Supp. VII, p. 57.

Admission, etc.

Vol. 37, p. 506; Vol. by whom the seeds were offered for sale, and for carrying out the provisions of the Act approved August 24, 1912 (II S.C.) + 111-77 ing the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes", \$61,509: Provided, That not to exceed \$250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress in carrying out plans for correlating the work of the various adhering governments on problems relating to seed analysis or other subjects which the congress may determine to be necessary in the interest of international seed trade.

> Sugar-plant investigations: For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar beet seed, \$295,303.

> Tobacco investigations: For the investigation and improvement of tobacco and the methods of tobacco production and handling, \$69,245.

Western irrigation agriculture: For investigations in connection reclaimed with western irrigation agriculture, the utilization of lands reclaimed under the Reclamation Act, and other areas in the arid and semiarid regions, \$100,848, and in addition thereto \$12,000 of the unexpended balance for this purpose for the fiscal year 1933 is continued avail-

able for the same purpose for the fiscal year 1935.

Total, Bureau of Plant Industry, \$3,476,342, of which amount not to exceed \$1,435,137 may be expended for personal services in the District of Columbia and not to exceed \$3,750 shall be available for the purchase of motor-propelled and horse-drawn passengercarrying vehicles necessary in the conduct of field work outside the District of Columbia.

Vehicles.

FOREST SERVICE

SALARIES AND GENERAL EXPENSES

General expenses.

Forest Service.

Experiments, etc.

To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of Restricted to United the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber

trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: Provided, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing

Provisos.
Cost of buildings.

a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed \$2,500; to pay all expenses necessary to protect, administer, and improve the national

Protecting, etc., national forests.

forests, including tree planting in the forest reserves to prevent erosion, drift, surface wash, and soil waste and the formation of floods, and including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating

Care of fish and

to fires in or near national forests, or for the unlawful taking of, or injury to, Government property; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish game. and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in prac-

tical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, office fixtures, law books, reference and technical books and technical journals for officers of the Forest Service stationed outside of Washington,

Supplies, etc.

and for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service: Provided further, That the appropriations for the work of the Forest Service Warehouse mainteshall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies and materials stored therein for distribution to projects under the supervision of

the Forest Service and for sale and distribution to other Government activities, the cost of such supplies and materials, including the cost of supervision, transportation, and handling, to be reimbursed to appropriations current at the time additional supplies and materials are procured for warehouse stocks from the appropriations chargeable with the cost of stock issued; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, and washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and

Outside rent.

outside of the District of Columbia, as follows: General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief For-office personnel. ester and other personal services in the District of Columbia, \$258,092.

fiscal officers while performing Forest Service work; and for rent

National forests.

NATIONAL FOREST ADMINISTRATION

Forest supervisors, rangers, guards, etc.

Vol. 36, p. 963; Vol. 43, p. 653; U.S.C., pp. 418-428.

Expenses allotted.

Proviso. Care of graves of firefighters

For the employment of forest supervisors, deputy forest supervisors, forest rangers, forest guards, and administrative clerical assistants on the national forests, and for additional salaries and field-station expenses, including the maintenance of nurseries, collecting seed, and planting, necessary for the use, maintenance, improvement, and protection of the national forests, and of additional national forests created or to be created under section 11 of the Act of March 1, 1911 (U.S.C., title 16, sec. 521), and under the Act of June 7, 1924 (U.S.C., title 16, secs. 471, 499, 505, 564-570), and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted for the purposes of said Acts, and for necessary miscellaneous expenses incident to the general administration of the Forest Service and of the national forests:

In national forest region 1, Montana, Washington, Idaho, and South Dakota, \$984,763: Provided, That the Secretary of Agriculture is authorized to use not to exceed \$200 in caring for the graves of fire fighters buried at Wallace, Idaho; Newport, Washington; and Saint Maries, Idaho;

In national forest region 2, Colorado, Wyoming, South Dakota, Proviso.
Long-horned cattle Nebraska, and Oklahoma, \$554,655: Provided, That not to exceed the National \$1,000 of this appropriation may be expended for the maintenance of the herd of long-horned cattle on the Wichita National Forest;

In national forest region 3, Arizona and New Mexico, \$566,390; In national forest region 4, Utah, Idaho, Wyoming, Nevada, and Colorado, \$764,409;

In national forest region 5, California and Nevada, \$1,038,069; In national forest region 6, Washington, Oregon, and California, \$1,030,164;

In national forest region 7, Arkansas, Alabama, Florida, Georgia, South Carolina, North Carolina, Pennsylvania, Tennessee, Virginia, West Virginia, New Hampshire, Maine, Puerto Rico, Kentucky, Louisiana, Mississippi, Oklahoma, Texas, and Vermont, \$438,488;

In national forest region 8, Alaska, \$100,032; In national forest region 9, Michigan, Minnesota, Illinois, Iowa,

Missouri, and Wisconsin, \$141,383; In all, for the use, maintenance, improvement, protection, and general administration of the national forests, \$5,618,353: Provided, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: Provided further, That the amounts so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated.

Fighting forest fires: For fighting and preventing forest fires on or threatening the national forests and for the establishment and maintenance of a patrol to prevent trespass and to guard against and check fires upon the lands revested in the United States by the Act approved June 9, 1916 (39 Stat., p. 218), and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Company against United States (numbered 2711), in the Circuit Court of Appeals of the Ninth Circuit, \$100,000, which

amount shall be immediately available.

Classification of lands: For the selection, classification, and segregation of lands within the boundaries of national forests that may be opened to homestead settlement and entry under the homestead laws applicable to the national forests; for the examination and appraisal

Aggregate. Provisos.

Interchangeable funds for fire protec-

Limitation.

Fighting forest fires.

Revested Oregon California lands, etc. Vol. 39, p. 218. Coos Bay Wagon

Classification of lands for homestead entries,

of lands in effecting exchanges authorized by law and for the survey thereof by metes and bounds or otherwise, by employees of the Forest Service, under the direction of the Commissioner of the General Land Office; and for the survey and platting of certain lands, chiefly valuable for agriculture, now listed or to be listed within the national tools tools for the survey in the control of forests, under the Act of June 11, 1906 (U.S.C., title 16, secs. 506–34, p. 233; Vol. 37, pp. 509), the Act of August 10, 1912 (U.S.C., title 16, sec. 506), and the Act of March 3, 1899 (U.S.C., title 16, sec. 488), as provided by the Act of March 4, 1913 (U.S.C., title 16, sec. 512), \$30,910.

FOREST RESEARCH

For forest research in accordance with the provisions of sections ber, etc.

Development of the ber, etc.

Vol. 45, p. 699.
U.S.C., Supp. VII, 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the p. 326. United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928 (U.S.C., Supp. VI, title 16, secs. 581, 581a, 581f-581i), as follows:

Forest management: Fire, silvicultural, and other forest investigations and experiments under section 2, at forest experiment

stations or elsewhere, \$392,810.

Range investigations: Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, \$81,025.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, \$459,725.

Forest economics: Investigations in forest economics under section

10, \$48,493.

In all, salaries and expenses, \$6,989,408; and in addition thereto there are hereby appropriated all moneys received as contributions a toward cooperative work under the provisions of section 1 of the Act approved March 3, 1925 (U.S.C., title 16, sec. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the Act of June 30, 1914 (U.S.C., title 16, sec. 498): *Provided*, That not to exceed \$397,240 may be expended for departmental personal services in the District of Columbia: Services in the District of Columbia: Trict.

Provided further, That not to exceed \$1,000 may be expended for the contribution of the United States to the cost of the office of the secretaries of the International Union. secretariat of the International Union of Forest Research Stations.

FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of timber on lands chiefly valuable therefor", approved June 7, 1924 (U.S.C., title 16, secs. 564-570), as amended, including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3

Forest research.

Forest management. Vol 45, p. 700.

Management of ranges, etc. Vol. 45, p. 701.

Forest products experiments. Vol. 45, p. 701.

Forest economics. Vol. 45, p. 702.

Aggregate; additional, from cooperative forest fund contributions. Vol. 43, p. 1132. U.S.C., p. 428.

Vol. 38, p. 430. U.S.C., p. 422. *Provisos*.

Forest fire prevention.

Cooperation with States, etc., Post, p. 1031.

Vol 43, p. 653. U.S.C., p. 427.

Tax laws and timber

services in the Dis- of said Act, \$1,348,619, of which \$23,859 shall be available for departsupplies and equip- mental personal services in the District of Columbia and not to exceed \$1,500 for the purchase of supplies and equipment required for the purposes of said Act in the District of Columbia.

Forest planting stock.

· COOPERATIVE DISTRIBUTION OF FOREST PLANTING STOCK

For cooperation with the various States in the procurement, production, and distribution of forest-tree seeds and plants in estab-

Cooperation with States, etc., in reforestation.

Vol. 43, p. 654. U.S.C., p. 427.

lishing windbreaks, shelter belts, and farm wood lots upon denuded or nonforested lands within such cooperating States, under the provisions of section 4 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suit-able therefor ", approved June 7, 1924 (U.S.C., title 16, sec. 567), and Acts supplementary thereto, \$56,296, of which amount not to exceed

Services in the Dis-

national forest roads.

Vehicles.

\$1,661 may be expended for departmental personal services in the District of Columbia. Total, Forest Service, \$8,394,323, of which amount not to exceed \$32,005 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and in addition thereto there is authorized for expenditure from funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U.S.C., title 23, secs. 21, 23), not to exceed \$5,085 for the purchase of motor-propelled passenger-carrying vehicles for use by the Forest Service in the construction and maintenance of

vehicles Motor road construction service. Vol. 42, p. 217. U.S.C., pp. 667, 668.

Chemistry and Soils Bureau.

BUREAU OF CHEMISTRY AND SOILS

General expenses.

SALARIES AND GENERAL EXPENSES

Investigations, demonstrations, etc.

For all necessary expenses connected with the investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities and other State agencies and institutions, counties, municipalities, business or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere; rent outside the District of Columbia, and other necessary supplies and expenses, and for erection, alteration, and repair of buildings outside of the District of Columbia at a total cost not to exceed \$5,000, as follows:

Employees, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$84,402.

Chief of bureau, and office personnel.

Chemical investigations. Vol. 12, p. 387. U.S.C., p. 56.

vestigations.

Methods of s manufacture, etc.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (U.S.C., title 5, secs. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigations of foods, feeds, drugs, and insecticides and substances used in the manufacture thereof, including investigations of the physiological effects of such products; for the investigation and development of methods for the manufacture of sugars and sugar aimure and the utilization of new agricultural materials for such sirups and the utilization of new agricultural materials for such

purposes; for investigation of the action and changes produced by microorganisms, including molds and fungi; for investigation and development of methods for the utilization of agricultural wastes and residues, in cooperation with the Bureau of Standards, Department of Commerce, without duplication of work; for investigation and development of methods for the prevention of heating of agricultural products and the prevention of farm fires and fires in cotton gins, cotton-oil mills, grain elevators, and other structures, and to cooperate with associations and scientific societies in the entific societies, etc. development of methods of analysis, \$304,870.

Color investigations: For investigation and experiment in the utilization, for coloring, medicinal, and technical purposes, of raw

materials grown or produced in the United States, \$63,255.

Insecticide and fungicide investigations: For the investigation Insecticide and fungicide investigations. and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides,

7,920.

Plant dust explosions: For the investigation and development sions.

Plant dust explosions: For the investigation and development sions.

Methods for preventof methods for the prevention of grain-dust, smut-dust, and other ing. dust explosions not otherwise provided for and resulting fires, including fires in cotton gins, cotton-oil mills, and grain elevators,

\$31,612. Naval stores investigations: For the investigation and demonstra- Naval stores investigations. tion of improved methods or processes of preparing naval stores, the weighing, handling, transportation, and the uses of same,

Fertilizer investigations: For investigations within the United States of fertilizers, fertilizer ingredients, including phosphoric acid and potash, and other soil amendments and their suitability for agricultural use, \$246,071.

Soil chemical and physical investigations: For chemical, physical, tion, etc. investigation and physical-chemical investigations of soil types, soil composition, tions. and soil minerals, the soil solution, solubility of soil, and all chemical and physical properties of soils in their relation to soil formation, soil texture, erosibility, and soil productivity, \$47,879.

Soil survey: For the investigation of soils and their origin, for cooperative soil survey. survey of the extent of classes and types, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations and surveys, \$192,391.

Soil microbiology investigations: For investigations of the micro- Soil microbiology investigations. organisms of the soil and their activities, including the testing of samples procured in the open market, of cultures for inoculating legumes, other crops, or soil, and the publication of results, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, \$36,765.

Soil-fertility investigations: For soil investigations into causes Soil gations of infertility; maintenance of productivity; effects of soil composition, cultural methods, fertilizers, and soil amendments on yield and quality of crops; and the properties, composition, formation, and transformation of soil organic matter, \$159,368.

Total, Bureau of Chemistry and Soils, \$1,311,698, of which amount Services in the District. not to exceed \$940,800 may be expended for personal services in the District of Columbia, and not to exceed \$590 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Utilizing wastes.

Fertilizers.

Soil fertility investi-

Vehicles.

Entomology and Plant Quarantine BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE Bureau. General expenses. SALARIES AND GENERAL EXPENSES

SALARIES AND GENERAL EXPENSES

Investigations, etc., of insects.

For necessary expenses connected with investigations, experiments, and demonstrations for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for investigating and importing useful and beneficial insects and bacterial, fungal, and other disease of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals,

Plant Quarantine to enable the Secretary of Agriculture to carry into effect the pro
Act. enforcement.

Vol. 37, p. 315; Vol. 44, p.

39, p. 1166; Vol. 44, p.

ESC. p. 98 Supp. intrinsects and bacterial insects and bacterial, fungal, and other

diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals,

Plant Quarantine to enable the Secretary of Agriculture to carry into effect the pro
vol. 37, p. 315; Vol. 44, p.

to conduct other activities there are a supplied to the pro
vol. 44, p.

LSC p. 98 Supplied to the pro
vol. 44, p.

to conduct other activities and ascertain
vol. 37, p. 315; Vol. 44, p.

vol. 44, p.

Vol. 45, p.

Vol. 45, p. 315; Vol. 44, p.

vol. 46, p.

Vol. 47, p. 315; Vol. 47, p.

Vol. 47, p. 315; Vol. 48, p.

Vol. 47, p. 315; Vol. 49, p.

Vol. 47, p. 315; Vol. 44, p.

Vol. 47, p. 315; Vol. 44, p.

Vol. 48, p. 315; Vol. 44, p.

Vol. 49, p. 315; Vol. 44, p.

Vol. 49, p. 315; Vol. 44, p.

Vol. 40, p. 315; Vol. 44, p.

Vol. 41, p. 315; Vol. 44, p.

Vol. 42, p. 315; Vol. 44, p.

Vol. 43, p. 315; Vol. 44, p.

Vol. 44, p.

Vol. 44, p.

Vol. 44, p.

Vol. 45, p.

Vol. 47, p. 315; Vol. 44, p.

Vol. 48, p.

Vol. 48, p.

Vol. 49, p.

Vol. 49, p.

Vol. 49, p.

Vol. 40, p.

Vol. 41, p.

Vol. 41, p.

Vol. 41, p.

Vol. 41, p.

Vol. 42, p.

Vol. 43, p.

Vol. 44, p. U.S.C., p. 99; Supp. ication, control, and prevention of spread of injurious insects and VII, p. 59 plant pests; independently or in cooperation with other branches of the Federal Government, States, counties, municipalities, corporations, agencies, individuals, or with foreign governments; including the employment of necessary persons and means in the District of Columbia and elsewhere, rent, construction, or repair of necessary buildings outside of the District of Columbia: Provided, That the cost for the construction of any building shall not exceed \$1,500, and that the total amount expended for such construction in any one

Proviso.
Cost of buildings.

Chief of bureau, and

Fruit, etc., insects.

Japanese beetle.

Mexican fruit fly.

Citrus-canker eradi-

Proviso.
No indemnity destroyed trees.

Phony-peach disease.

Provise.
No indemnity destroyed trees.

year shall not exceed \$7,000, as follows: General administrative expenses: For general administrative purposes, including the salary of chief of bureau and other personal services, \$149,109.

Fruit insects: For insects affecting fruits, grapes, and nuts, \$320,759.

Japanese beetle control: For the control and prevention of spread of the Japanese beetle, \$230,000.

Mexican fruit fly control: For the control and prevention of spread of the Mexican fruit fly, including necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, \$101,652.

Citrus-canker eradication: For determining and applying such methods of eradication or control of the disease of citrus trees known as citrus canker as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, \$12,299, and, no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other preparts. shall be used to pay the cost or value of trees or other property

injured or destroyed. Phony-peach eradication: For determining and applying such methods of eradication, control, and/or prevention of spread of the disease of peach trees known as phony peach as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, \$45,462: Provided, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Date scale control: For the control and prevention of spread of

Parlatoria date scale, \$22,768.

Forest insects: For insects affecting forests and forest products, under section 4 of the Act approved May 22, 1928 (U.S.C., Supp. tions, etc. VI, title 16, sec. 581c), entitled "An Act to insure adequate supplies Vol. 45, 1 of timber and other forest products for the people of the United 326. States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects ", \$145,655.

Truck crop and garden insects: For insects affecting truck crops, ornamental and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, \$303,048.

Cereal and forage insects: For insects affecting cereal and forage Cereal and forage insects.

crops, including sugarcane and rice, and including research on the European corn borer, \$312,701.

European corn borer control: For the control and prevention of spread of the European corn borer and for the certification of products out of the infested areas to meet the requirements of State quarantines on account of the European corn borer, \$30,411.

Cotton insects: For insects affecting cotton, \$136,000.

Pink bollworm control: For the control and prevention of spread Pink bollworm control. of the pink bollworm, including the establishment of such cottonfree areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation Cooperation Mexico. with the Mexican Government or local Mexican authorities, \$254,959.

Thurberia weevil control: For the control and prevention of

spread of the Thurberia weevil, \$2,584.

Bee culture: For bee culture and apiary management, \$45,670. Insects affecting man and animals: For insects affecting man,

household possessions, and animals, \$109,600.

Insect pest survey and identification: For the identification and classification of insects, including taxonomic, morphological, and related phases of insect pest control, the importation and exchange the collection and dissemination of information to Federal, State, mation.

Disseminating information to Federal, State, mation. and other agencies concerned with insect pest control, \$121,616.

to aid in enforcing plant quarantines, eradication and/or control tions. of plant pests, determining methods of disinfection and/or control products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect pest control, \$40,738.

Transit inspection: For the inspection in transit or otherwise of articles quarantined under the Act of August 20, 1912 (U.S.C., Supp. 44, p. 250. VI, title 7, secs. 161, 164a), as amended, and for the interception and U.S.C., p 100; Supp. VI, p. 58. disposition of materials found to have been transported interstate in

violation of quarantines promulgated thereunder, \$26,419.

Foreign plant quarantines: For enforcement of foreign plant antine enforcement.

quarantines, at the port of entry and/or port of export, and to Mexican cotton, etc. prevent the movement of cotton and cottonseed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, including construction and repair of necessary buildings, plants, and equipment, for the fumigation, disinfection, or cleaning of products, railway cars, or other vehicles

Date scale control

Forest insects. Preventing infesta-Vol. 45, p. 701. U.S.C., Supp. VII, p.

Truck and garden

European corn borer.

Cotton insects.

Cooperation with

Thurberia weevil.

Bee culture. Man and animals

Identification and lassification of insects

investiga-

Cleaning, etc.

Receipts covered in.

entering the United States from Mexico, \$552,966, and in addition thereto \$16,000 of the unexpended balance for this purpose for the fiscal year 1933 is continued available for the same purpose for the fiscal year 1935: Provided, That any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.

Export inspection and certification.

Certification of exports: For the inspection, under such rules and regulations as the Secretary of Agriculture may prescribe, of domestic plants and plant products when offered for export and to certify to shippers and interested parties as to the freedom of such products from injurious plant diseases and insect pests according to the sanitary requirements of the foreign countries affected and to make such reasonable charges and to use such means as may be necessary to accomplish this object, \$16,120: Provided, That moneys received on account of such inspection and certification shall be covered into the Treasury as miscellaneous receipts.

Proviso. Receipts covered in.

Dutch elm disease: For control and prevention of spread of the Dutch elm disease in the United States, \$150.000: Provided, That this sum shall be reduced by an amount equal to any amount that may hereafter be allotted for the purposes named herein from any

Dutch elm disease. Proviso. Use of fund.

Federal relief or other Federal emergency appropriations.

Gypsy and brown-tail moths: For the control and prevention of spread of the gypsy and brown-tail moths, \$360,000 of the sum allotted for this purpose for the fiscal year 1934 by the Public Works Administration shall be available only for expenditure during the fiscal year 1935.

Gypsy and brown-tail moths.

Services in the District.

Vehicles

Total, Bureau of Entomology and Plant Quarantine, \$3,130,536, of which amount not to exceed \$669,430 may be expended for personal services in the District of Columbia, and not to exceed \$12,750 shall be available for the purchase of motor-propelled and horsedrawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

BUREAU OF BIOLOGICAL SURVEY

Biological Survey Bu-General expenses.

SALARIES AND GENERAL EXPENSES

Salaries, supplies, etc.

For salaries and employment of labor in the city of Washington and elsewhere, furniture, supplies, including the purchase of bags, tags, and labels printed in the course of manufacture, traveling and all other expenses necessary in conducting investigations and carrying out the work of the bureau, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

Chief of bureau and office personnel.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$72,978.

Game, etc., reserva-

Maintenance of mammal and bird reservations: For the mainte-Montana bison range. nance of the Montana National Bison Range and other reservations and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations, and for the enforcement of section 84 of the Act approved March 4, 1909 (U.S.C., title 18, sec. 145), entitled "An Act to codify, revise, and amend the

Protection of rves. Vol. 35, p. 1104. U.S.C , p. 471.

penal laws of the United States", and Acts amendatory thereto, and Vol. section 10 of the Migratory Bird Conservation Act of February 18, p. 334. 1929 (U.S.C., Supp. VI, title 16, sec. 715i), \$52,368: Provided, That \$2,500 may be used for the purchase, capture, and transportation of game for national reservations.

Food habits of birds and animals: For investigating the food and animals habits and economic value of North American birds and animals in relation to agriculture, horticulture, and forestry, including methods of conserving beneficial and controlling injurious birds and animals,

\$75,112.

strations and cooperation in destroying animals injurious to agriculture, horticulture, forestry animal hyphenders in the strategy animal hyphenders. ture, horticulture, forestry, animal husbandry, and wild game; and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals, \$398,982.

Production of fur-bearing animals: For investigations, experiments, demonstrations, and cooperation in connection with the tion, etc. production and utilization of fur-bearing animals raised for meat and fur, in the United States and Alaska, \$51,717.

Biological investigations: For biological investigations, including Biological investigations.

the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including \$14,800 for investigations of the relations of wild animal (U.S.C., Supp. VI, title 16, sec. 581d), and for investigations, p. 327. experiments, and demonstrations in the establishment, improvement, and increase of the reindeer industry and of much supplements. sheep in Alaska, including the erection of necessary buildings and other structures, \$69,711.

Protection of migratory birds: For all necessary expenses for migratory birds: For all necessary expenses for tection.

Protection of migratory birds: For all necessary expenses for tection.

Migratory birds and for tection of migratory birds and for the protection of migratory birds, and for the protection of migratory birds, and for the protection of migratory birds. necessary investigations connected therewith, \$155,085: Provided, That of this sum not more than \$20,500 may be used for the enforcement of sections 241, 242, 243, and 244 of the Act approved March 4, 1909 (U.S.C., title 18, secs. 391-394), entitled "An Act to codify, revise, and amend the penal laws of the United States", and for the enforcement of section 1 of the Act approved May 25, 1900 (U.S.C., title 16, sec. 701), entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes", including all necessary investigations in con-

nection therewith.

Enforcement of Alaska game law: For the enforcement of the Enforcing Alaska provisions of the Alaska game law, approved January 13, 1925 Vol. 43, p. 739; Vol. (U.S.C., title 48, secs. 192–211), and as amended by the Act of Feb- U.S.C., p. 1573; Supp. VII, p. 981.

In all, salaries and expenses, \$942,551.

UPPER MISSISSIPPI RIVER REFUGE

For the acquisition of areas of land or land and water pursuant to the Act entitled "An Act to establish the Upper Mississippi River Wild Life and Fish Refuge", approved June 7, 1924 (U.S.C., title 16, secs. 721-731), as amended, and for all necessary expenses incident thereto, including the employment of persons and means in the city of Washington and elsewhere, \$1,862, which shall be available until

Vol. 45, p. 1224. U.S.C., Supp. VII, Proviso.
Game for reserves.

Food habits of birds

Fur bearing animals. Investigating produc-

Reindeer and musk oxen in Alaska.

Migratory bird pro-

Proviso.
Preventing shipment of prohibited birds, etc.
Vol. 35, p. 1137.
U.S.C., pp. 492-493

Carrying illegally killed game.
Vol. 31, p. 187.
U.S.C., p. 436.

Upper Mississippi River Refuge.

Acquiring areas for. Vol. 43, pp. 650, 1354. U.S.C., p. 437.

Vol. 43, p. 652.

expended, being part of the sum of \$1,500,000 authorized to be appropriated for such purpose by section 10 of said Act; and for all necessary expenses of the Secretary of Agriculture authorized by section 9 of said Act, \$31,933; in all, \$33,795.

Bear River migratory bird refuge. Establishment, etc.

p. 331. Vol. 45, p. 1186.

BEAR RIVER MIGRATORY BIRD REFUGE

Establishment, etc. Vol. 45, p. 448.

Vol. 45, p. 1186.
All expenses.

For administration and maintenance of the Bear Kiver Migratory
Bird Refuge established under the Act approved April 23, 1928
(U.S.C., Supp. VI, title 16, secs. 690–690h), and the resolution approved February 15, 1929 (45 Stat., p. 1186), including the construction of necessary buildings and for personal services in the District of Columbia and elsewhere, \$15,319.

Migratory Bird Con-servation Act.

Expenses, executing, etc. Vol. 45, p. 1702. p. 333.

MIGRATORY BIRD CONSERVATION ACT

For carrying into effect the provisions of the Act entitled "An C. Vol. 45, p. 1702. Acquiring areas. Vol. 45, p. 1222. U.S.C., Supp. VII. 2, p. 1702) by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and of water to furnish in perpetuity reservation for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes", approved February 18, 1929 (U.S.C., Supp. VI, title 16, secs. 715–715r), \$62,419, authorized by section 12 of the Act, which sum is a part of the remaining \$792,475 of the \$1,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933.

Commissioner's expenses. Vol. 45, p. 1225.

Services in the Dis-

Vehicles.

Total, Bureau of Biological Survey, \$1,054,084, of which amount not to exceed \$252,308 may be expended for departmental personal services in the District of Columbia, and not to exceed \$14,450 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Public Roads Bu-Tee11

Salaries and expenses.

BUREAU OF PUBLIC ROADS

For necessary expenses of the Bureau of Public Roads, including salaries and the employment of labor in the city of Washington and elsewhere, supplies, office and laboratory fixtures and apparatus, traveling and other necessary expenses; for conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance and of methods of road repair and maintenance suited to the needs of different localities; and maintenance and repairs of experimental highways, including the purchase of materials and equipment; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins Vol. 39, p. 355; Vol. and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916 (39 Stat., pp. 355-359), as amended, or as otherwise provided.

Road making, etc.

FEDERAL-AID HIGHWAY SYSTEM

For carrying out the provisions of the Act entitled "An Act to States in constructing provide that the United States shall aid the States in the construction rural post roads, of rural post roads, and for other purposes", approved July 11, 40, p. 1201; Vol. 42, pp. 1916 (39 Stat., pp. 355–359), and all Acts amendatory thereof and 660, 1167; Vol. 43, p. 889; Vol. 44, pp. 760, 1308. supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed \$176,400 for VII, p. 322. supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed \$176,400 for departmental personal services in the District of Columbia, \$8,000,000, to be immediately available and to remain available until expended, which sum is a part of the sum of \$125,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933, by section 1 of the Act approved April 4, 1930 (46 Stat., p. 141): Provided, That Convict labor for none of the money herein appropriated shall be paid to any State on bidden. account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed \$45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U.S.C., title 23, secs. 21 and 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said Act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia: Provided further, That, during the fiscal year 1935, whenever performing authorized engineering or other services in connection with the survey, construction services and maintenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned.

The appropriation of \$2,000,000 for roads on unappropriated or Emergency appropriated or ation for roads on inunreserved public lands, nontaxable Indian lands, and so forth, condian reservations, etc.
vol. 47, p. 717. the lending powers of the Reconstruction Finance Corporation, and to create employment by providing for and expediting a public-works program", approved July 21, 1932, is hereby continued available during the fiscal year 1935, and not to exceed \$4,290 may be used trict. for personal services in the District of Columbia.

Total, Bureau of Public Roads, \$8,000,000.

BUREAU OF AGRICULTURAL ENGINEERING

SALARIES AND GENERAL EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$33,867.

Agricultural engineering: For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture, independently or in cooperation with Federal, State, county, or other public agencies or with farm bureaus, organizations, or individuals; for investigating and reporting upon the utilization of water in farm irrigation and the best methods to apply in practice; the different kinds of power and appliances; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; and the drainage of farms and of swamps and other wet lands which may be made available for agricultural pur-

Federal-aid highways.

Vol. 46, pp. 141, 1031.

Vehicles. Vol. 42, p. 217. U.S.C., p. 667.

allowed engineering Charges

Agricultural Engi-neering Bureau.

General expenses

Chief of bureau, and office personnel.

Investigations, etc.

poses; for preparing plans for the removal of surplus water by drainage; for developing equipment for farm irrigation and drainage; for investigating and reporting upon farm domestic water supply and drainage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the Act approved April 19, 1930 (U.S.C., Supp. VI, title 7, secs. 424, 425); for giving expert advice and assistance in agricultural engineering. for giving expert advice and assistance in agricultural engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports; and for other necessary expenses, including travel, rent, repairs, and not to exceed \$5,000 for construction of buildings, \$316,451.

Cotton ginning. Vol. 46, p. 248. U.S.C., Supp. VII, p.

Services in the Dis-

Total, Bureau of Agricultural Engineering, \$350,318, of which amount not to exceed \$120,080 may be expended for personal services in the District of Columbia.

Agricultural nomics Bureau. Eco-

BUREAU OF AGRICULTURAL ECONOMICS

General expenses.

SALARIES AND GENERAL EXPENSES

Salaries, supplies, etc.

For salaries and the employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in conducting investigations, experiments, and demonstrations, as follows:

Chief of bureau, and office personnel.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau

and other personal services in the District of Columbia, \$230,370.

Farm management and practice: To investigate and encourage the adoption of improved methods of farm management and farm practice, and for ascertaining the cost of production of the principal

Farm management and practice.

staple agricultural products, \$313,670.

Diffusing informa-tion of farm products, marketing, etc.

Marketing and distributing farm products: For acquiring and diffusing among the people of the United States useful information, on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, including the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, including scientific and technical research into American grown cotton and its byproducts and their present and potential uses, including new and additional commercial and scientific uses for cotton and its byproducts, and including investigations of cotton

ginning under the Act approved April 19, 1930 (U.S.C., Supp. VI, title 7, secs. 424, 425), and for collecting and disseminating information on the adjustment of production to probable demand for the different farm and animal products, independently and in cooperation with other branches of the Department, State agencies, pur-

chasing and consuming organizations, and persons engaged in the marketing, handling, utilization, grading, transportation, and distributing of farm and food products, and for investigation of the economic costs of retail marketing of meat and meat products,

Cotton and by-products research. Vol. 46, p. 248. U.S.C., Supp. VII, p. \$609,094: Provided, That practical forms of the grades recommended or promulgated by the Secretary for wool and mohair may mohair grades to be be called an all and a solution of the grades to be be called an all and a solution of the grades recommended or promulgated by the Secretary for wool and mohair may mohair grades to be be sold under such rules and regulations as he may prescribe, and the receipts therefrom deposited in the Treasury to the credit of

miscellaneous receipts.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops, and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, \$603,701: Provided, That no part of the funds herein appropriated shall be available for any expense incident torbidden. to ascertaining, collating, or publishing a report stating the intention

of farmers as to the acreage to be planted in cotton.

Foreign competition and demand: To enable the Secretary of Securing inform as to foreign com Agriculture to carry into effect the provisions of the Act entitled tion and demand. "An Act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States 68 Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes", approved

June 5, 1930 (U.S.C., Supp. VI, title 7, secs. 541–545), and for mation of world's supcollecting and disseminating to American producers, importers, ply and need of American
exporters, and other interested persons information relative to the
ucts, etc. world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals and not to exceed \$1,000 for newspapers as may be necessary in connection with this work, \$226,590.

Market inspection of farm products: For enabling the Secretary Market inspection of farm products. of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and Certifying condition of shipment. other interested parties the class, quality, and/or condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That may be to cover the cost for the service rendered: Provided, That Legal effect of such certificates issued by the authorized agents of the department shall certificates. be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, \$389,805.

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and Livestock, dairy, aganimal products, dairy and poultry products, fruits and vegetables,

Crop and livestock estimates. Collecting, etc., data

predictions

Securing information Vol. 46, p. 497, U.S.C., Supp. VII, p.

Market news service

peanuts and their products, grain, hay, feeds, tobacco, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, \$1,002,868.

Cotton statistics. Vol. 44, p. 1372. U.S.C., Supp. VII, p. Agriculture to carry into effect the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927 (U.S.C., Supp. VI, title 7, secs. 471–476), \$207,174.

Tobacco stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (U.S.C., Supp. VI, title 7, secs. 501–508), including the employment of persons and means in the city of Washington and elsewhere, \$15,805.

Perishable Agricultural commodities Act.
Vol. 46, p. 531.
U.S.C., Supp. VII, p.

"An Act to suppress unfair and fraudulent practices in the marketing agricultural commodities in interstate and foreign of perishable agricultural commodities in interstate and foreign commerce" (U.S.C., Supp. VI, title 7, secs. 551-568), \$120,727. In all, salaries and expenses, \$3,719,804.

Tobacco stocks and standards.
Vol. 45, p. 1079.
U.S.C., Supp. VII, p.

Cotton Futures and ENFORCEMENT OF THE UNITED STATES COTTON FUTURES ACT AND UNITED Cotton Standards Acts. STATES COTTON STANDARDS ACT

Enforcement ex- To enable the Secretary of Agriculture to carry into effect the vol. 39, p. 476; vol. provisions of the United States Cotton Futures Act, as amended VI. p. 600.

W.S.C., p. 788; Supp. March 4, 1919 (U.S.C., title 26, secs. 731–752), and to carry into VI. p. 600.

VII. p. 600.

VIII. p. 600.

V expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside of the District of Columbia, that may be necessary in executing the provisions of these Acts, including such means as may be necessary for effectuating agreements heretofore or hereafter made with cotton associations, cotton exchanges, and other cotton organizations in foreign countries, for the adoption, use, and observance of universal standards of cotton classification, for the arbitration or settlement of disputes with respect thereto, and for the preparation, distribution, inspection, and protection of the practical forms or copies thereof under such agreements, \$226,189.

Effectuating agreements as to standards, etc., in foreign countries

Grain Standards Act.

ENFORCEMENT OF THE UNITED STATES GRAIN STANDARDS ACT

Enforcement expenses. Vol. 39, p. 482. U.S.C., p. 92.

To enable the Secretary of Agriculture to carry into effect the provisions of the United States Grain Standards Act, including rent outside of the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, \$644,397.

Warehouse Act.

ADMINISTRATION OF THE UNITED STATES WAREHOUSE ACT

Administration expenses.

Vol. 39, p. 486; Vol. provisions of the United States Warehouse Act, including the payment of such rent outside of the District of Columbia and the U.S.C., p. 107; Supp. VII, p. 69.

To enable the Secretary of Agriculture to carry into effect the Provisions of the United States Warehouse Act, including the payment of such rent outside of the District of Columbia and the VII, p. 69. ture may deem necessary in the city of Washington and elsewhere, \$271,383.

ENFORCEMENT OF THE STANDARD CONTAINER, HAMPER, AND PRODUCE Hamper, and Produce AGENCY ACTS Standard Container, Hamper, and Produce Agency Acts.

To enable the Secretary of Agriculture to carry into effect the penses. Act entitled "An Act to fix standards for Climax baskets for grapes 40.1 39, p. 673; Vol. 44, p. 685; Vol. 485; Vol other containers for small finds, befries, and vegetables, and for other purposes", approved August 31, 1916 (U.S.C., title 15, secs. 251–256), the Act entitled "An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes", approved May 21, 1928 (U.S.C., Supp. VI, title 15, secs. 257–257i), and the Act entitled "An Act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them", approved March 3, 1927 (U.S.C., Supp. VI, title 7, secs. 491–497), including the purchase of such perishable farm products and perishable farm products are not perishable farm products.

Purchase of perishable products.

Provided. That all receipts rom sales from the sale of such products shall be credited to this appropriate to product the sales of such products. from the sale of such products shall be credited to this appropriate ation, and shall be reexpendable therefrom, and including the ation, and shall be reexpendable therefrom, and including the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, \$29,035.

WOOL MARKETING STUDIES

Not to exceed \$25,223 of the funds collected from persons, firms, Fund created for or corporations which handled any part of the wool clip of 1918, clip of 1918. which the Secretary of Agriculture finds it impracticable to distribute among woolgrowers, shall be deposited in the Treasury to the credit of a special fund which is hereby appropriated for the fiscal year 1935 for the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize the appropriation for use by Wools. Vol. 45, p. 593.

Les Corrections of Agriculture of certain funds for wool standards, Vol. 45, p. 593.

Les Corrections of VI. 44.

Les Corr and for other purposes", approved May 17, 1928 (U.S.C., Supp. VI, 64. title 7, secs. 415b-415d), including personal services and other necessary expenses in the District of Columbia and elsewhere.

Total, Bureau of Agricultural Economics, \$4,916,031, of which Services in the Disamount not to exceed \$1,861,856 may be expended for personal services in the District of Columbia, and not to exceed \$22,200 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

BUREAU OF HOME ECONOMICS

SALARIES AND GENERAL EXPENSES

General administrative expenses: For necessary expenses for gen- Chief of bureau and office personnel. eral administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$25,747.

Home-economics investigations: For conducting, either inde- westigations pendently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and for disseminating useful information on this subject, including travel and all other necessary expenses, \$152,954.

Wool marketing studies.

Vehicles.

Home Economics

General expenses.

Home economics in-

Services in the District.

Total, Bureau of Home Economics, \$178,701, of which amount not to exceed \$165,575 may be expended for personal services in the District of Columbia.

Grain Futures Act.

ENFORCEMENT OF THE GRAIN FUTURES ACT

Enforcement expenses. Vol. 42, p. 998. U.S.C., p. 87.

To enable the Secretary of Agriculture to carry into effect the provisions of the Grain Futures Act, approved September 21, 1922 (U.S.C., title 7, secs. 1-17), \$181,498, of which amount not to exceed \$45,110 may be expended for personal services in the District of Columbia.

Food and Drug Administration.

FOOD AND DRUG ADMINISTRATION

General expenses.

SALARIES AND GENERAL EXPENSES

Items specified.

For all necessary expenses, for chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington, and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside of the District of Columbia for carrying out the investigations and work herein authorized as follows:

Outside rent.

General administra-

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of administration and other personal services in the District of Columbia, \$95,178.

Pure Food and Drug Act, enforcement. Vol. 34, p. 768. U.S.C., p. 621.

Revision of Pharmacopoeia. Examining foreign tests of American food products.

Tea Importation Act,

Naval Stores Act. Vol. 42, p. 1435. U.S.C., p. 93.

Insecticide Act, en-

Vol. 36, p. 331. U.S.C., p. 95.

Enforcement of the Food and Drugs Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June 30, 1906 (U.S.C., title 21, secs. 1-15), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes"; to cooperate with associations and scientific societies in the revision of the United States Pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, \$1,161,477: Provided, That not more than \$4,280 shall be used for travel outside of the United States.

Enforcement of the Tea Importation Act: For enabling the Secenforcement. Vol. 29, p. 604; vol. retary of Agriculture to carry into effect the provisions of the Act 41, p. 712. U.S.C., p. 625. approved March 2, 1897 (U.S.C., title 21, secs. 41–50), entitled "An Act to prevent the importation of impure and unwholesome tea", as amended, including payment of compensation and expenses of the members of the board appointed under section 2 of the Act and all other necessary officers and employees, \$36,786.

Naval Stores Act: For enabling the Secretary of Agriculture to

carry into effect the provisions of the Naval Stores Act of March 3, 1923 (U.S.C., title 7, secs. 91-99), \$32,052.

Enforcement of the Insecticide Act: For enabling the Secretary

of Agriculture to carry into effect the provisions of the Act of April 26, 1910 (U.S.C., title 7, secs. 121-134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated

or misbranded Paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other

purposes", \$191,517.

Enforcement of the Milk Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act vol. approved February 15, 1927 (U.S.C., Supp. VI, title 21, secs. 141- p. 465. 149), entitled "An Act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health ", \$17,739.

Enforcement of the Caustic Poison Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act Vol. 44, p. 1406. approved March 4, 1927 (U.S.C., Supp. VI, title 15, secs. 401-411), p. 263. Caustic Poison Act, enforcement. Vol. 44, p. 1406. U.S.C., Supp. VII, title 15, secs. 401-411), p. 263. entitled "An Act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalies, and other substances in interstate and foreign commerce", \$22,964.

Total, Food and Drug Administration, \$1,557,713, of which amount Aggregate. Services in the District of Columbia, and not to exceed \$12,800 shall be available for the purchase of motor-propelled and horse-drawn passengercarrying vehicles necessary in the conduct of field work outside the District of Columbia.

Milk Importation Act, enforcement. Vol. 44, p. 1101. U.S.C., Supp. VII,

INTERCHANGE OF APPROPRIATIONS

Not to exceed 10 per centum of the foregoing amounts for the mis-laneous expenses. cellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual cluded in Budget. Budget.

Interchange of appro-priations.

Proviso.

MISCELLANEOUS

WORK FOR OTHER DEPARTMENTS

During the fiscal year 1935 the head of any department or independent establishment of the Government requiring inspection, etc., by Agricultural Department, of analyses, and tests of food and other products, within the scope of the Department of the functions of the Department of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Agriculture, transfer to the Department of Agriculture for direct expenditure such sums as may be necessary for the performance of such work.

Miscellaneous

Work for other Departments

EXPERIMENTS IN LIVESTOCK PRODUCTION IN SOUTHERN UNITED STATES in Southern States.

To enable the Secretary of Agriculture, in cooperation with the Cooperative experiments of the States concerned, or with individuals, to make such ing. investigations and demonstrations as may be necessary in connection with the development of livestock production in the cane-sugar and cotton districts of the United States, \$37,036.

PASSENGER-CARRYING VEHICLES

Within the limitations specified under the several headings the lump-sum appropriations herein made for the Department of Agritions for field work. culture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of

Passenger vehicles.

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Available for maintenance, etc.

Exchanges allowed.

the field work of the Department of Agriculture outside the District of Columbia: Provided, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor trucks in the Interchangeable District of Columbia: Provided further, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the department, to such extent as the exigencies of the service may require: Provided further, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: Provided further, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him.

Soil erosion.

SOIL-EROSION INVESTIGATIONS

Investigations, etc., for control.

To enable the Secretary of Agriculture to make investigation not otherwise provided for of the causes of soil erosion and the possibility of increasing the absorption of rainfall by the soil in the United States, and to devise means to be employed in the preservation of soil, the prevention or control of destructive erosion and the conservation of rainfall by terracing or other means, independ-ently or in cooperation with other branches of the Government, State agencies, counties, farm organizations, associations of business men, or individuals, including necessary expenses, \$168,326, of which amount not to exceed \$11,280 may be expended for personal services in the District of Columbia.

International production control com-mittees.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

During the fiscal year 1935 the Secretary of Agriculture may expend not to exceed \$10,000, from the funds available for carrying into effect the Agricultural Adjustment Act approved May 12, 1933 (Public, Numbered 10, Seventy-third Congress), the share of the United States as a member of the International Wheat Advisory

International Wheat Advisory Committee.

Committee or like events or bodies concerned with the reduction of agricultural surpluses or other objectives of the Advisory Committee. agricultural surpluses or other objectives of the Agricultural Adjustment Act, together with traveling and all other necessary expenses relating thereto.

Grasshopper control.

GRASSHOPPER CONTROL, BUREAU OF ENTOMOLOGY

Cooperation

Proviso.
Poisoned bait.

For the application of such methods of control of grasshoppers as, in the judgment of the Secretary of Agriculture, may be necesof sary, in cooperation with such authorities of the States concerned, organizations, or individuals as he may deem essential to accomplish such purposes, including the employment of persons and means in Printing and binding. the District of Columbia and elsewhere, printing and binding, rent outside of the District of Columbia, and for other expenses, \$2,354,893, to be available during the fiscal years 1934 and 1935, and to be immediately available, of which amount not to exceed \$7,500 may be expended for personal services in the District of Columbia: *Provided*, That this appropriation shall be used for expenditures of general administration and supervision, purchase and transportation of poisoned bait, or materials for its manufacture, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary and that the cooperating State shall

be responsible for the local distribution and utilization of such bait on privately owned lands including full labor costs: Provided Cooperation of further, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for grasshopper control in any State until such State has provided the necessary organization for the cooperation herein indicated: Provided further, That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

Restriction.

FOREST ROADS AND TRAILS

For carrying out the provisions of section 23 of the Federal High-way Act approved November 9, 1921 (U.S.C., title 23, sec. 23), including not to exceed \$10,521 for departmental personal services in the district of Columbia, \$1,500,000, a part of the amount author-p. 482. William of the facel ways 1922 by the Act approved ized to be appropriated for the fiscal year 1933 by the Act approved May 5, 1930: Provided, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed \$2,500: Provided further, That during the fiscal year ending June 30, 1935, the expenditures on forest highways in Alaska from the amount herein appropriated or from similar appropriations heretofore made shall not exceed \$350,000.

Total, Title I, Department of Agriculture, \$60,232,007.

This title may be cited as the "Agricultural Department Appropriation Act of 1935.

Federal highways.

Provisos. Storage facilities.

Alaska highways.

Citation of title.

TITLE II—FARM CREDIT ADMINISTRATION

Farm Credit Admin-

SALARIES AND EXPENSES

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field; traveling expenses of officers and employees; contingent and miscellaneous expenses, including law books, books of reference, periodicals, newspapers, and maps; contract stenographic reporting services, and expert services for the preparation of amortization tables; membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; purchase of manuscripts, data, and special reports by personal service without regard to the provisions of any other Act; procurement of supplies and services without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50; purchase, exchange, main tenance, repair, and operation of motor-propelled, passenger-carrying vehicles and motor trucks to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed \$10 per diem to cover subsistence and other expenses while in conference and en route from and to his home to any person other than an employee or a member of an advisory commodity committee who may from time to time be invited to the city of Washington and elsewhere for conference and advisory purposes in furthering the work of the Farm Credit Administration; employment of persons, firms, and others for the performance of special services, including legal services, and other miscellaneous expenses:

Salaries and expenses.

R.S., sec. 3709, p. 733, U.S.C., p. 1309.

Traveling expenses.

Special services.

Vol. 41, p. 1347; Vol. 42, p. 467; Vol. 43, p. 1251; Under the provisions of the Acts of March 3, 1921 (41 Stat., p. 1347), Vol. 45, p. 1306; Vol. 46, pp. 3, 78, 1032, 1160, March 20, 1922 (42 Stat., p. 467). April 26, 1924 (42 Stat., p. 467). March 20, 1922 (42 Stat., p. 467), April 26, 1924 (43 Stat., p. 110), February 28, 1927 (44 Stat., p. 1251), February 25, 1929 (45 Stat., p. 1306), as amended May 17, 1929 (46 Stat., p. 3), March 3, 1930 (46 Stat., pp. 78, 79), December 20, 1930 (46 Stat., p. 1032), February 14, 1931 (46 Stat., p. 1160), and February 23, 1931 (46 Stat., p. 1276); examination of corporations, banks, associations, and institutions operated, supervised, or regulated by the Farm Credit Administration: Provided, That the expenses and salaries of employees engaged in such examinations shall be assessed against the said corporations, banks or institutions in accordance with the provisions of existing laws; in all, \$2,389,666.

Proviso. Assessments.

Citation of title.

This title may be cited as the "Farm Credit Administration Appropriation Act of 1935."

Approved, March 26, 1934.

[CHAPTER 90.]

JOINT RESOLUTION

March 26, 1934. [H.J.Res. 207.] [Pub. Res., No. 17.]

Requiring agricultural or other products to be shipped in vessels of the United States where the Reconstruction Finance Corporation or any other instrumentality of the Government finances the exporting of such products.

Reconstruction Finance Corporation.
Agricultural, etc., exports, financed by, to be carried in U.S. vessels.

Exception.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that in any loans made by the Reconstruction Finance Corporation or any other instrumentality of the Government to foster the exporting of agricultural or other products, provision shall be made that such products shall be carried exclusively in vessels of the United States, unless, as to any or all of such products, the Shipping Board Bureau, after investigation, shall certify to the Reconstruction Finance Corporation or any other instrumentality of the Government that vessels of the United States are not available in sufficient numbers, or in sufficient tonnage capacity, or on necessary sailing schedule, or at reasonable rates.

Approved, March 26, 1934.

[CHAPTER 92.]

AN ACT

March 27, 1934. [S. 2534.] [Public, No. 132.]

To further extend the operation of the Act entitled "An Act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law" approved April 1, 1932.

Vol. 47, pp. 75, 1427, amended.

Be it enacted by the Senate and House of Representatives of the Integration projects. United States of America in Congress assembled, That the Secretary payments for water of the Interior is authorized and directed to extend such provisions of the Act of the Act of the Act of the Act of the Interior is authorized. of the Act entitled "An Act for the temporary relief of water users on reclamation projects constructed and operated under the reclamation law", approved April 1, 1932 (47 Stat. 75), as extended by the Act of March 3, 1933 (47 Stat. 1427), as relate to the deferment of payment of certain water-rights charges for the years 1931, 1932, and 1933, in like manner to all similar charges coming due for the year 1934. The Secretary of the Interior is further authorized, upon the acceptance by the Uncompangre Valley Water Users Association of the moratorium Act of April 1, 1932, and its amendments, including this Act, to enter into a contract with the association deferring the initiation of its drainage construction program until January 1, 1936, and permitting the completion of said drainage program

Uncompangre and Grand Valley projects; Testruction charges deferred.

during the years 1936 to 1941, both inclusive, under the conditions Wol. 46, p. 1974, amended. set out in the Act of January 31, 1931 (47 Stat. 1947), as herein modified, and to extend such provisions of such section 3 as relate to certain water-rights charges on the Grand Valley reclamation project in like manner to all similar charges coming due for the year 1934.

Sec. 2. Interest on the charges for which the time of payment is Interest rate on deferred charges. extended pursuant to this Act shall be payable at the same rate and under the same conditions as those prescribed in such Act of March 3, 1933, with respect to the charges for the years 1931, 1932, and 1933.

Approved, March 27, 1934.

[CHAPTER 93.]

AN ACT

To authorize the Secretary of the Interior to place with the Oklahoma Historical Society, at Oklahoma City, Oklahoma, as custodian for the United States, certain records of the Five Civilized Tribes, and of other Indian tribes in the State of Oklahoma, under rules and regulations to be prescribed by him.

March 27, 1934. [H.R. 5631.] [Public, No. 133.]

the State of Oklahoma any records of the Five Civilized Tribes, ciety. including the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles, which may be in the custody or control of the Secretary of the Interior and the Superintendent for the Five Civilized Tribes; also of the Wichita, Kiowa, Comanche, Caddo, and Apache Indians that may be within his custody or control or of the agent at Anadarko, Oklahoma; also of the Arapaho and Cheyenne Indians that may be within his custody or control or of the agent at Concho, Oklahoma: also of the Sac and Fox, Pottawatomie, Kickapoo, and Iowa Indians that may be within his custody or control or of the agent at Shawnee, Oklahoma; also of the Wyandotte, Seneca, Quapaw, Peoria, Modoc, and Miami Indians that may be within his custody or control or of the agent at Miami, Oklahoma; also of the Tonkawa, Ponca, Pawnee, Otoe, and Kaw Indians that may be within his custody or control or of the agent at Pawnee, Oklahoma; and of the Osage Indians that may be within his custody or control or of the agent at Pawhuska, Oklahoma. The Oklahoma Historical Society in receiving Society to receive, as Federal custodian. the custody of such papers, records, and matters of historical interest to receive same as custodian for the United States of America and the Secretary of the Interior, and to hold same under rules and regulations as may be prescribed by him: *Provided*, That copies of any documents, records, books, or papers in the office of and custody issue. of the Oklahoma Historical Society when certified by the secretary or chief clerk of said society under its seal, or when such office or position is vacant by the officer or person acting as secretary or chief clerk for the time, shall be evidence equally with the original, and in making such certified copies such secretary or acting secretary and such chief clerk or acting chief clerk shall be acting as a Federal agent, and such certified copies shall have the same force and effect as if made by the Secretary of the Interior when such documents. records, books, or papers were in his office as Secretary of the Interior and certified by him under seal of his office: Provided further, That wherever such certified copies are desired by the Government to be used for the benefit of the Government they shall be furnished with-

Provisos. Certified copies may

Government use

¹ So in original.

Return of, on request.

out cost: Provided, further, That any of the records placed with the Historical Society shall be promptly returned to the Government official designated by the said Secretary upon his request therefor.

Approved, March 27, 1934.

[CHAPTER 94.]

AN ACT

March 27, 1934. [H.R. 5745.] [Public, No. 134.]

Granting abandoned public buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other purposes.

Alaska.
Certain abandoned public buildings and grounds at Sitka, granted to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described public buildings and grounds at Sitka, Alaska, are granted to the Territory of Alaska, to be used by the said Territory as a home for aged, sick, and infirm pioneers and residents thereof at the expense of the Territory, to wit: A tract of land described hereafter by metes and bounds:

Description.

Beginning at a point common to corners numbered 2, United States Forest Service reserve, and numbered 3, United States reserve for public common; thence north sixty-one degrees nineteen minutes east three hundred and sixty-seven and thirty-four one-hundredths feet along north side of Lincoln Street to corner numbered 3, United States reserve for public buildings; thence north twenty-eight degrees forty minutes west two hundred and twentytwo and sixty-three one-hundredths feet along west side of Barracks Street to corner numbered 6, United States marine and military reserve; thence north sixty-one degrees twelve minutes east fifty and seventy-two one-hundredths feet along north side of Barracks Street to corner numbered 5, United States marine and military reserve; thence north twenty-two degrees fifty minutes west eightyseven and sixty-one one-hundredths feet along west side of Barracks Street to corner numbered 4, United States marine and military reserve, set on south side of Seward Street; thence south sixty-eight degrees thirty-three minutes west one hundred and sixty-four and four one-hundredths feet along south side of Seward Street to a point common to corners numbered 3, United States marine and military reserve, and numbered 1, survey numbered 407; thence south twenty-nine degrees ten minutes east sixty-four and eleven one-hundredths feet along east boundary of survey numbered 407 to a point common to corners numbered 2, United States marine and military reserve, and numbered 4, survey numbered 407; thence south fifty-eight degrees nineteen minutes west seventy and thirtyseven one-hundredths feet along south boundary of survey numbered 407 to a point common to corners numbered 1, United States marine and military reserve, and numbered 3, survey numbered 407; thence north forty-one degrees eight minutes west twenty-five and eightyfour one-hundredths feet along west boundary of survey numbered 407 to the south boundary of the tract of land reserved for school purposes by Executive Order Numbered 4448, dated May 27, 1926; thence south fifty-eight degrees nineteen minutes west one hundred and twenty-one feet along south boundary of tract of land reserved for school purposes to southwest corner of said tract; thence north forty-two degrees thirty minutes west one hundred and eight feet along west boundary of tract of land reserved for school purposes to northwest corner of said tract; thence south thirty-five degrees west fifty-seven and twenty-eight one-hundredths feet along north boundary of United States reserve for public common to corner numbered 6 and meander corner, United States reserve for public common, on shore of Sitka Bay; thence with meanders along shore of Sitka

Bay south thirty-seven degrees nineteen minutes east fifty-seven and nine one-hundredths feet, south twenty degrees twenty-three minutes west forty-three and forty-three one-hundredths feet, south eightytwo degrees fifty-six minutes west thirty-one and fifty-six onehundredths feet, south seventy degrees seven minutes west twentynine feet, south fifteen degrees fifty-one minutes east nineteen and thirty-seven one-hundredths feet, south two degrees fifty-one minutes east thirty-six and seventeen one-hundredths feet, south seventysix degrees fifty-one minutes east fourteen and fifty-nine onehundredths feet to corner numbered 5 and meander corner on the line between United States Forest Service reserve and United States reserve for public common; thence north sixty degrees east one hundred and thirty-two and forty-four one-hundredths feet along north boundary of United States Forest Service reserve to a point common to corners numbered 1, United States Forest Service reserve, and numbered 4, United States reserve for public common; thence south twenty degrees forty-nine minutes east two hundred and thirtyseven and sixty-six one-hundredths feet along east boundary of United States Forest Service reserve to the point of beginning; containing two and seven hundred and sixty-nine one-thousandths other minerals in the land, and the right to prospect for mine, reserved.

Provided, That all oil, coal, or Mineral rights, etc., and remove the same, be reserved to the United State.

rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. That the Territory of Alaska shall never sell or otherwise sions dispose of any part of said property; and if the same shall ever be abandoned for the uses herein declared the said premises shall revert to the United States.

Approved, March 27, 1934.

[CHAPTER 95.]

AN ACT

To establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the composi-United States of America in Congress assembled, That the composition of the United States Navy with respect to the categories of composition of, vessels limited by the treaties signed at Washington, February 6, respect to treaty categories.

1922, and at London, April 22, 1930, is hereby established at the limit vesserihed by those treaties. prescribed by those treaties.

Sec. 2. That subject to the provisions of the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, the President of the United States is hereby authorized to undertake prior to December 31, 1936, or as soon thereafter as he may deem it tions not included. advisable (in addition to the six cruisers not yet constructed under the Act approved February 13, 1929 (45 Stat. 1165), and in addition to the vessels being constructed pursuant to Executive Order Numbered 6174 of June 16, 1933), the construction of: (a) One aircraft bered 6174 of June 16, 1933), the construction of: (a) One aircraft Replacement of over-carrier of approximately fifteen thousand tons standard displace-age and experimental connection to replace the experimental circumstance of th ment, to replace the experimental aircraft carrier Langley; (b) ninety-nine thousand two hundred tons aggregate of destroyers to replace over-age destroyers; (c) thirty-five thousand five hundred and thirty tons aggregate of submarines to replace over-age submarines: Provided, That the President of the United States is hereby marines: Provided, That the President of the United States is hereby authorized to replace, by vessels of modern design and construction, gories limited by treatvessels in the Navy in the categories limited by the treaties signed les. vessels in the Navy in the categories limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930,

Reversionary provi-

March 27, 1934. [H.R. 6604.] [Public, No. 135.]

Specified construction authorized.

Vol. 45, p. 1165: Ex-ecutive Order 6174.

Procuring necessary

Proportion of aircraft

Conditions imposed.

If proportionate con-

Expansion of Gov-ernment facilities, on order of President.

Discretionary construction allot ments.

Employment of Govenment establishments, when—

Collusion to prevent fair competition, etc.

Profit excessive

Sums for expansion authorized.

when their replacement is permitted by the said treaties: Provided further, That the President is hereby authorized to procure the necessary naval aircraft for vessels and other naval purposes in Ratio of vessel con-numbers commensurate with a treaty navy: Provided further, That struction, etc., in Government yards, etc. the first and each succeeding alternate vessel of each category, except the fifteen-thousand-ton aircraft carrier, upon which work is undertaken, and the main engines, armor, and armament for such vessels, the construction and manufacture of which is authorized by this Act, shall be constructed or manufactured in the Government navy yards, naval stations, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as were not customarily manufactured in such Government plants prior Changes allowed in to February 13, 1929: Provided further, That, if inconsistent with public interests. the public interests in any year to have a vessel or vessels constructed as required above, the President may have such vessel or vessels built in a Government or private yard as he may direct.

That not less than 10 per centum of the aircraft, including the construction in Government factories, etc. engines therefor, the procurement of which is authorized by this Act and hereafter undertaken, shall be constructed and/or manufactured in Government aircraft factories and/or other plants or factories owned and operated by the United States Government.

The foregoing paragraph is subject to the following conditions:
(1) That if it shall be determined by the President that present struction not permissible in Government plants, factories, and equipment owned by the Government are not plants, etc. such as to permit the construction and/or manufacture of the said aircraft and/or engines in such Government plants and factories, in the proportions herein specified and required, then and in that event such requirement may be suspended in whole or in part by his order. However, in the event of such order of suspension being made by the President, then at his discretion the existing plants, factories, and facilities now owned and/or operated by the Government shall forthwith be expanded and equipped to enable the Government to construct, manufacture, and repair not less than 10 per centum of its naval aircraft therein, except that it shall be discretionary with the President as to the per centum constructed and/or manufactured in Government plants if he should find it impracticable for the Government to undertake the construction and/or manufacture of not less than 10 per centum of its naval aircraft therein.

(2) The President is also authorized to employ Government establishments in any case where-

(a) It should reasonably appear that the persons, firms, or corporations, or the agents therefor, bidding for the construction of any of said aircraft, engines, spare parts, or equipment have entered into any combination, agreement, or understanding the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said aircraft, engines, spare parts, or equipment, or-

(b) Should it reasonably appear that any person, firm, or corporation, or agents thereof, being solely or peculiarly in position to manufacture or furnish the particular type or design of aircraft, engines, spare parts, or equipment required by the Navy, in bidding on such aircraft, engines, spare parts, or equipment, have named a price in excess of cost of production plus a reasonable profit, as provided in section 3 of this Act.

The funds necessary for the enlargement and expansion of such existing plants and facilities now owned by the Government for the construction and manufacture of naval aircraft, are hereby authorized to be appropriated.

SEC. 3. The Secretary of the Navy is hereby directed to submit Construction estimates to the Bureau of the Budget estimates for the construction appropriation authorized. of the foregoing vessels and aircraft; and there is hereby authorized to be appropriated such sums as may be necessary to carry into effect the provisions of this Act: Provided, That no contract shall be made by the Secretary of the Navy for the construction and/or manufacture of any complete naval vessel or aircraft, or any portion thereof, herein, heretofore, or hereafter authorized unless the contractor agrees-

(a) To make a report, as hereinafter described, under oath, to sworn report. the Secretary of the Navy upon the completion of the contract.

(b) To pay into the Treasury profit, as hereinafter provided shall be determined by the Treasury Department, in excess of 10 per centum of the total contract price, such amount to become the property of the United States: Provided, That if such amount is not Collection if not volvoluntarily paid the Secretary of the Treasury may collect the same untarily paid. under the usual methods employed under the internal revenue laws to collect Federal income taxes.

(c) To make no subdivisions of any contract or subcontract for Evasion, by subcontract for tract, etc., forbidden. the same article or articles for the purpose of evading the provisions of this Act, but any subdivision of any contract or subcontract involving an amount in excess of \$10,000 shall be subject to the

conditions herein prescribed.

(d) That the manufacturing spaces and books of its own plant, tractor's books, etc. affiliates, and subdivisions shall at all times be subject to inspection and audit by any person designated by the Secretary of the Navy, the Secretary of the Treasury, and/or by a duly authorized committee of Congress.

(e) To make no subcontract unless the subcontractor agrees to Subcontractor to assent to conditions.

the foregoing conditions.

The report shall be in form prescribed by the Secretary of the in report. Items to be covered Navy and shall state the total contract price, the cost of performing the contract, the net income, and the per centum such net income bears to the contract price. A copy of such report shall be transmitted to the Secretary of the Treasury for consideration in connection with the Federal income tax returns of the contractor for the

taxable year or years concerned.

The method of ascertaining the amount of excess profit to be paid cess profit.

The method of ascertaining the amount of excess profit to be paid cess profit.

Determination of extension of the method of ascertaining the method of ascert into the Treasury shall be determined by the Secretary of the into the Treasury shall be determined by the Secretary of the into the New and made into Treasury in agreement with the Secretary of the Navy and made available to the public. The method initially fixed upon shall be so determined on or before June 30, 1934: Provided, That in any case where an excess profit may be found to be owing to the United States be made. in consequence hereof, the Secretary of the Treasury shall allow credit for any Federal income taxes paid or remaining to be paid upon the amount of such excess profit.

The contract or subcontracts referred to herein are limited to soing provisions. Applicability of forethose where the award exceeds \$10,000.

SEC. 4. That in the event of international agreement for the fur-construction by interther limitations of naval armament to which the United States is national agreement. signatory, the President is hereby authorized and empowered to suspend so much of its naval construction as has been authorized as may be necessary to bring the naval armament of the United States within the limitation so agreed upon, except that such suspension shall not apply to vessels actually under construction on the date of the passage of this Act.

Approved, March 27, 1934.

Proviso. Contract agreement.

To limit profit.

Copy to Secretary of

Proviso. Credit for excess, to

[CHAPTER 96.]

March 27, 1934. [S. 2089.] [Public, No 136.]

AN ACT

To amend the Code of Laws for the District of Columbia, approved March 3, 1901, as amended (D.C. Code, title 5, ch. 3), relating to building and loan

Be it enacted by the Senate and House of Representatives of the District of Columbia Code amendments.

Vol. 31, p. 1300.

United States of America in Congress assembled, That the Code of the District of Columbia (31 Stat. 1300; D.C. Code, title 5, ch. 3) is amended by adding at the end of title 5, chapter 3, thereof, the following new sections:

Building and loan associations may purchase bonds of Home Gowners' Loan Corporated or unincorporated, organized and owners' Loan Corporation.

"Sec. 55. Personal property.—The board of directors of any building association incorporated or unincorporated, organized and existing under the laws of the District of Columbia to do or now doing in the District of Columbia a building association business, in their discretion, may purchase the bonds of the Home Owners' Loan Corporation created pursuant to the authority of the Home Owners' Loan Act of 1933, approved June 13, 1933 (and said association is hereby permitted to carry said bonds as an asset at the par value of said bonds) or may subscribe and pay for shares of any Federal corporation created or authorized by law to lend money to

Ante, p. 128.

Exchange of secured obligations for, authorized.

building and loan associations.

"Sec. 56. Any building association incorporated or unincorporated, organized and existing under the laws of the District of Columbia, to do or now doing, in the District of Columbia, a building association business, is authorized and empowered to exchange mortgages or deeds of trust or the notes or bonds secured thereby or other obligations and liens secured on real estate or any real estate which it may have or hold, for the bonds of the Home Owners' Loan Corporation created pursuant to the authority of the Home Owners' Loan Act of 1933, approved June 13, 1933, and said association is hereby authorized to carry said bonds as an asset at the par value of said bonds."

Approved, March 27, 1934.

[CHAPTER 97.]

AN ACT

March 27, 1934. [S. 2950.] [Public, No. 137.]

To authorize steam railroads to electrify their lines within the District of Columbia, and for other purposes.

isting

Be it enacted by the Senate and House of Representatives of the District of Columbia. United States of America in Congress assembled, That steam-railroad companies now operating within the District of Columbia are hereby authorized, after approval of their detailed plans and issuance of a permit by the Commissioners of the District of Columbia, to electrify their lines within the District of Columbia and across the Anacostia and Potomac Rivers with an alternating current overhead Structures, equip catenary or other type of electrification system, with all necessary transmission, signal and communication conductors and equipment, poles, conduits, underground and overhead construction, substations,

ment, etc.

provisions of any law or laws to the contrary notwithstanding. SEC. 2. Submarine cables may be used at drawbridge openings, provided previous approval shall have been obtained from the War Department.

and any other structures necessary in such electrification, the

Submarine cables at drawbridge openings

Sec. 3. Where necessary for such electrification, the Commissioners Construct dult systems of the District of Columbia may issue permits to construct conduit systems through or under the surfaces of public streets or other District of Columbia or United States property: Provided, however, That three ducts therein shall be reserved for the use of the United three ducts. States and the District of Columbia.

Construction of con-

Proviso.

SEC. 4. Nothing herein contained shall be construed as limiting Jurisdiction or abridging the authority of the War Department, the Commisabridged. sioners of the District of Columbia, or of the Interstate Commerce Commission.

not

Sec. 5. The said railroad companies shall be liable for any accident to, or injuries sustained by, any person by reason of any act or omission of the railroad companies or by their agents or servants during the construction, installation, maintenance, or operation of the electrical equipment and apparatus of the railroad trains.

Liability for injuries. Vol. 45, p. 600.

Approved, March 27, 1934.

ICHAPTER 98.1

AN ACT

Granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Mississippi River at or near Baton Rouge, Louisiana.

March 27, 1934. [S. 3067.] [Public, No 138.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Louisiana Highway Commission, an administrative body created and acting under the constitution and laws of the State of Louisiana, to construct, maintain, and operate a free highway bridge, or a railway bridge in combination with a free highway bridge, and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Baton Rouge, Louisiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Mississippi River. Louisiana may ridge, at Baton bridge Rouge.

Construction. Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 27, 1934.

[CHAPTER 99.]

AN ACT

To prevent the loss of the title of the United States to lands in the territories or territorial possessions through adverse possession or prescription.

March 27, 1934. [H.R. 5863.] [Public, No. 139.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no prescription or statute of limitations shall run, or continue to run, against the title of the United States to lands in any territory or through adverse pospossession or place or territory under the jurisdiction or control of the United States, including the Philippine Islands; and that no title to any such lands of the United States or any right therein shall be acquired by adverse possession or prescription, or otherwise than by conveyance from the United States.

Approved, March 27, 1934.

[CHAPTER 100.]

AN ACT

March 27, 1934. [H.R. 7966.] [Public, No. 140.]

To authorize the Postmaster General to accept and use equipment, landing fields, men, and material of the War Department, for carrying the mails by air, and for other purposes.

Pilots.

Postmaster General to reimburse War De-partment for incurred

expenses.

Appropriation available.

Vol. 47, p. 1510.

Replacement damaged, etc plane.

Proviso.

Status of military personnel not affected by change of duty.

Provisos.
Determination of degree of disability.

Optional benefits.

Reserve officers per-forming duty, deemed in active service. Injuries, etc., bene-

Effective date.

Be it enacted by the Senate and House of Representatives of the Air mail, postal serv. United States of America in Congress assembled, That during the Temporary use of period not to exceed one year after the date of passage of this Act War Department, etc., the Secretary of War is authorized to place at the disposal of the authorized.

Postmaster General such airplanes, landing fields, pilots, and other Postmaster General such airplanes, landing fields, pilots, and other employees and equipment of the Army of the United States as may be needed or required for the transportation of mail during such period by air over routes and schedules prescribed by the Postmaster General: Provided, That this authority shall not be used unless Airplane equipment. and/or until such airplanes shall be fully equipped with the special equipment necessary by standard practice for safe night and day air-mail transport; and that pilots shall not be assigned to such airplanes unless and/or until fully and adequately trained in the use of such special equipment.

Sec. 2. The Postmaster General is authorized to transfer to the

War Department such sums appropriated under the Act approved March 3, 1933, making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, for the inland transportation of mail by aircraft, and for the incidental expenses thereof incurred from and after February 10, 1934, as may be required to pay the expenses of carrying the mails of the United States as provided in section 1 hereof, including replacement for all airplanes and equipment and other material damaged, destroyed, or expended thereby: Provided, That officers, warrant officers, and Provision.

Per diem allowance. Vol. 44, p. 688.
U.S.C., Supp VII.p. permanent posts of duty, shall be paid the same per diem as is payable to civilian employees of the United States under the Subsistence Expense Act of 1926, as amended.

The performance by military personnel of duty hereunder

shall in no way disturb or change their military status under their respective commissions, warrants, or enlistments, in the Army, or any right, privilege, benefit, or responsibility, growing out of said military status.

Injuries in line of duty.

SEC. 4. In case any officer (including warrant and Reserve officers) or enlisted man is injured or killed while performing duty herereserribed by Veterans' Regulation, No.

1(a).

Provisos.
Determination of degree of disability.

Provisos.
Determination of degree of disability. resulting therefrom shall be determined pursuant to the rating schedule authorized by Veterans' Regulation Numbered 3 (a): Provided further, That choice shall be made of the benefits provided in sections 4 and 5 of this Act.

Sec. 5. Reserve officers performing duty hereunder shall be deemed to be in the active military service and if injured or killed such officer and/or his dependents and beneficiaries shall be entitled to the same benefits as in the case of officers of the Regular Army and/or their dependents and beneficiaries. Section 4 and this section shall be deemed to take effect on February 10, 1934.

Sec. 6. The Postmaster General shall make a report to the Congress of every payment made by him under this Act, including the cost of transporting the mail by the War Department, on the first day of the next session of the Congress.

Report to Congress.

Approved, March 27, 1934.

[CHAPTER 102.]

AN ACT

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1935, and for other purposes.

March 28, 1934. [H.R. 6663.] [Public, No. 141.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—APPROPRIATIONS

That the following sums are appropriated, out of any money in Independent Offices the Treasury not otherwise appropriated, for the Executive Office Appropriation Act, and sundry independent executive bureaus, boards, commissions, Appropriations for and officer for the fiscal year and 1925 and 1925 are the fiscal year 1935. and offices, for the fiscal year ending June 30, 1935, namely:

EXECUTIVE OFFICE

Executive Office.

COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

Compensation. President.

For compensation of the President of the United States, \$75,000. For compensation of the Vice President of the United States, \$13,500.

Vice President.

OFFICE OF THE PRESIDENT

Office of the President. Secretaries and office

Salaries: For personal services in the office of the President, Secretar including the Secretary to the President, and two assistant secretaries to the President at \$9,500 each; \$113,188: Provided, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Proviso. Temporary details.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items, to be expended in the discretion of the President, \$38,452.

Contingent expenses.

For printing and binding, \$2,700.

Printing and binding.

Traveling expenses: For traveling and official entertainment Traveling expenses of the President of the United States, to be expended in penses. his discretion and accounted for on his certificate solely, \$25,000.

Traveling, etc., ex-

EXECUTIVE MANSION AND GROUNDS

Executive Mansion.

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$174,210, to be immediately available, of which \$50,000 shall be available until expended.

Care, repair, etc.

Total, Executive Office, \$442,050.

Independent Establishments.

Alien Property Custodian.

Trading with the Enemy Act, amend-

Of deductions for expenses admir seized property

INDEPENDENT ESTABLISHMENTS

ALIEN PROPERTY CUSTODIAN

Subsection (a) of Section 24 of the Trading with the Enemy Act, ment. Vol. 42, p. 1516; Vol. as amended, is amended by adding at the end thereof the following: Vol. 42, p. 1616; Vol. 45, p. 276.

Recovery by enemy person, etc., of deductions made by custodian or shall the President of the United States, nor shall any suit be instituted or maintained against the Alien Property custodian or the Treasurer of the United States, or the United Stat "No claim shall be filed with the Alien Property Custodian or under any provisions of law, by any person who was an enemy or ally of enemy as defined in the Trading with the Enemy Act, as amended, and no allowance of any such claim now pending shall be made, nor judgment entered in any such suit heretofore or hereafter instituted, for the recovery of any deduction or deductions, hereto-fore or hereafter made by the Alien Property Custodian from money or properties, or income therefrom, held by him or by the Treasurer of the United States hereunder, for the general or administrative expenses of the office of the Alien Property Custodian, which deduction or deductions on the collection of any income do not exceed the sum of two per centum of such income or which on the return of any moneys or properties or income therefrom, do not exceed the sum of two per centum of the aggregate value thereof at the time or times administering as nearly as may be, of such deduction or deductions, or, for the recovery of any deduction or deductions heretofore or hereafter made by the Alien Property Custodian from money or properties or income therefrom held by him or by the Treasurer of the United States hereunder, for any and all necessary expenses incurred and actually disbursed by the Alien Property Custodian or by any depositary for him in securing the possession, collection or control of any such money or properties or income therefrom, or in protecting or administering the same, as said general or administrative and other expenses and said aggregate value of returned money or properties or income therefrom have been heretofore or shall be hereafter determined by said Alien Property Custodian."

AMERICAN BATTLE MONUMENTS COMMISSION

American Battle Monuments Commis-

The appropriations heretofore made for the American Battle Monuments Commission are hereby increased in an amount sufficient to cover all losses which have been or may hereafter be incurred by the Commission due to the fluctuation of the Franco-American exchange below the rate of 25.30 francs to \$1.

Board of Mediation

BOARD OF MEDIATION

Members of the Board. All other expenses.

For five members of the Board, and for other authorized expenditures of the Board of Mediation in performing the duties imposed by law, including personal services; contract stenographic reporting services; supplies and equipment; law books and books of reference; not to exceed \$200 for newspapers; periodicals; traveling expenses; and rent of quarters outside the District of Columbia; \$124,764, of which amount not to exceed \$110,000 may be expended for personal services in the District of Columbia, including the sum of \$4,250, Payments to designated persons. Which shall be immediately available and shall be paid in equal portions to the following-named persons, heirs at law of Frank P. Glass, late a member of the board, who served without compensation as such member from July 14, 1933, to January 10, 1934, the date of

his death: Frank P. Glass, Junior; J. Purnell Glass, Christine Glass, Louise Glass Marzoni, Evelyn Byrd Glass McCoy, and H. Boyson

Arbitration boards: To enable the Board of Mediation to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their necessary traveling expenses and expenses actually incurred for subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, the unexpended balances of the appropriate the service of the service. priations for this purpose available for the fiscal year 1934 are hereby continued available for the fiscal year 1935.

by the President to investigate and report respecting disputes U.S.C., Supp. VII, between carriers and their employees, as authorized by section 10, P. 948. Balance reappropriatile 45, sec. 154), the unexpended balances of the appropriation for the fiscal year 1934 are hereby continued available ing.

For all printing and binding for the Board of Mediation, \$800. Total, Board of Mediation, \$125,564.

Arbitration boards. Vol. 44, p. 586. U.S.C., p. 2110. Ante, p. 286.

BOARD OF TAX APPEALS

For every expenditure requisite for and incident to the work of Vol. 43, p. 336; Vol. the Board of Tax Appeals as authorized under title IX, section 900, 44, p. 105; Vol. 45, p. of the Revenue Act of 1924, approved June 2, 1924, as amended by 871; Vol. 47, p. 286. of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, \$482,116, of which amount not to exceed \$436,350 may be expended for personal services in the District of Columbia.

For all printing and binding for the Board of Tax Appeals, \$20,000.

Total, Board of Tax Appeals, \$502,116.

Board of Tax Appeals.

Printing and binding.

CIVIL SERVICE COMMISSION

For three Commissioners and other personal services in the District office personal.

Columbia, including personal services required for examination Examination of Presidential postmasters, and including per to examination dential postmasters. of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed \$1,000 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for necessary traveling of the field; expenses, including those of examiners acting under the direction of the Commission, and for expenses of examinations and investigations held elsewhere than at Washington, including not to exceed \$1,000 for expenses of attendance at meetings of public officials when specifically directed by the Commission; for furniture and other equipment and repairs thereto; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; streetcar fares not to exceed \$300; stationery; purchase and exchange of

Civil Service Com-mission.

Traveling expenses,

Miscellaneous exDetails from Departments, etc., in the District forbidden.

Emergency transfers

Adjustment of classifications. Vol. 47, p. 416.

Printing and binding.

law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed \$1,000; charts; purchase, exchange, maintenance, and repair of motor trucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, \$1,467,816, of which not to exceed \$200,000 shall be immediately available: Provided, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1935, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: Provided further, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force: Provided further, That the provisions of section 506 of part II of the Legislative Appropriation Act, fiscal year 1933, shall not operate, after June 30, 1934, to prevent the adjustment of classification or compensation to conform to the duties to which the employees of the Commission may be assigned.

For all printing and binding for the Civil Service Commission, including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, \$55,000, of which not to exceed \$20,000 shall be immediately available.

Total, Civil Service Commission, \$1,522,816.

Employees' Compensation Commission.

Commissioners, and office personnel

EMPLOYEES' COMPENSATION COMMISSION

For three Commissioners and other personal services in the District of Columbia, including not to exceed \$1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding \$8 per day, and for personal services in the field, for furniture and other equipment and repairs thereto; law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; \$361,510.

Printing and binding.

For all printing and binding for the Employees' Compensation

Commission, \$4,000.

Employees' compensation fund: For the payment of compensation fund.
Vol. 39, pp. 743, 747.
U.S.C., p. 80.

Commission, \$4,000.

Employees' compensation fund: For the payment of compensation fund: For the payment of compensation for employees. of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (U.S.C., title 5, sec. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy hospitals; the transportation and brial expenses provided by section 2 and 11 and other payments of a set a far the enforcement of tions 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1935 or in prior fiscal years, \$3,987,900. Total, Employees' Compensation Commission, \$4,353,410.

Burial, etc., expenses. Recoveries

Federal Power Com-

Expenses. Vol. 41, p. 1063; Vol. 46, p. 797. U.S.C., Supp. VII, p. 326.

FEDERAL POWER COMMISSION

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including personal services; traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are

necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; reimbursement to governmental agencies of the cost of furnishing motor-driven passenger-carrying vehicle service, and not exceeding \$2,000 for law books, books of reference, newspapers, and periodicals; \$274,803, of which amount not to exceed \$234,000 shall be available for personal services in the District of Columbia: Provided, That not to exceed \$20,000 shall be immediately available.

For all printing and binding for the Federal Power Commission,

Total, Federal Power Commission, \$277,303.

FEDERAL RADIO COMMISSION

For five commissioners, and for all other authorized expenditures of the Federal Radio Commission in performing the duties imposed by the Radio Act of 1927, approved February 23, 1927, as amended (U.S.C., Supp. VI, title 47, secs. 81-119), the Ship Act of 1910, approved June 24, 1910, as amended (U.S.C., title 46, secs. 484-487), Executive Order Numbered 5892, dated July 20, 1932, and the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$25, improvement and care of grounds and repairs to buildings, not to exceed \$1,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, \$651,885, of which amount not to exceed \$328,500 may be trict.

expended for personal services in the District of Columbia: Provisional Appropriation Act, fiscal year 1933, shall not operate, after June 30, 1934, to prevent the adjustment of classification or compensation to conform to the duties to which the employees of the Commission may be assigned.

For all printing and binding for the Federal Radio Commission,

\$15,000.

Total, Federal Radio Commission, \$666,885.

FEDERAL TRADE COMMISSION

For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rentals, traveling expenses, including not to exceed \$900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, for newspapers and press clippings not to exceed \$400, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; \$1,708,730, of which \$150,000 shall be immediately available.

For all printing and binding for the Federal Trade Commission,

\$34,000.

Total, Federal Trade Commission, \$1,742,730.

Proviso.
Sum immediately available.

Printing and binding.

Federal Radio Com-mission.

Commissioners and Commissioners and other expenses.
Vol. 44, p. 1162; Vol. 46, p. 50
Vol. 36, p. 629; Vol. 37, p. 199.
U.S.C., p. 1507; Supp. VII, p. 969.
Executive Order 5892. Executive Order 5892. Vol. 45, p. 2760.

R.S., sec. 3709, p. 733, U.S.C., p. 1309.

Printing and binding.

Federal Trade Com-Commissioners, and

other expenses. Vol. 38, p. 717. U.S.C., p. 356. Post, p. 1026.

Witness fees, mileage. Vol. 38, p. 722. U.S.C., p. 359.

Printing and binding.

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General Accounting Office.

Comptroller General, Assistant, and office personnel.

Contingent expenses.

Proviso. Minor purchases. R.S., sec. 3709, p. 733. U.S.C., p. 1309.

Printing and binding.

Interstate Commerce Commission.

Salaries and Commissioners, etc.

Reporting service. Services in the Dis-

U.S.C., pp. 1668-1670.

Safety of employees, Vol. 34, p. 838; Vol. 35, p. 324; Vol. 38, p. 212.
U.S.C., p. 1441.

GENERAL ACCOUNTING OFFICE

Salaries: For Comptroller General, Assistant Comptroller General, and other personal services in the District of Columbia and elsewhere, \$3,292,920.

Contingent expenses: For traveling expenses, including stenographic reporting service outside of the District of Columbia not exceeding \$2,500, by contract or otherwise; materials, supplies, equipment, and services; rent of buildings and equipment; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and other office appliances. including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; \$110,000: Provided, That section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of \$50.

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$59,000.

Total, General Accounting Office, \$3,461,920.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

General administrative expenses: For eleven commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at \$10,000 each per annum, field hearings, traveling expenses, and contract steno-graphic reporting services; \$2,526,216, of which amount not to exceed \$2,205,000 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the Books, furniture, etc. expenditure shall not exceed \$50,000; not exceeding \$3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding \$100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply

Enforcing accounting by railroads.

Vol. 34, p. 593; Vol. 33, p. 586; Vol. 41, p. of the Interstate Commerce Act as amondod by the Interstate Commerce Comme June 29, 1906 (U.S.C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U.S.C., title 49, sec. 20), including the Services in the Dis employment of necessary special accounting agents or examiners, trict. and traveling expenses, \$778,888, of which amount not to exceed \$135,000 may be expended for personal services in the District of Columbia.

Safety of employees, etc.
Appliances, etc.
Vol. 27, p. 531; Vol.
29, p. 85; Vol. 32, p. 943;
Vol. 36, p. 298.
Accidents.
Vol. 36, p. 350.
Safety signals.
Vol. 36, p. 350.
Safety of employees: To enable the Interstance Commerce Commission to employees and travelers upon raildents and authorizing investigations thereof; and to enable the Intersafety signals.
Vol. 36, p. 350.
Safety of employees: To enable the Interstance Commerce Commission to investigate and test appliances Safety of employees: To enable the Interstate Commerce Comintended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (U.S.C., title 45, sec. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (U.S.C., title 45, secs. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, \$461,970, of which amount not to exceed trict. \$81,000 may be expended for personal services in the District of Columbia.

Signal safety systems: For all authorized expenditures under section 26 of the Interstate Commerce Act as amended by the Transportation Act, 1920 (U.S.C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the provision thereof under which carriers by ramoud subject.

Act may be required to install automatic train-stop or train-control trol.

Automatic train-stop or train-control trol.

Automatic train-stop or train-control trol.

Vol. 34, p. 838.

Vis.C., p. 1441. scribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (U.S.C., title 45, sec. 35), and including the employment of the necessary engineers, and for traveling expenses, \$36,590, of which amount not to exceed \$31,500 may be expended for personal services in the District of Columbia.

Columbia.

Locomotive inspection: For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act vol. 36, p. 913; vol. 36, p. 192; vol. 40, p. 102; vol. 43, p. 192; vol. 43, p. 659.

Locomotive inspection.

Vol. 36, p. 192; vol. 40, p. 106; vol. 43, p. 659.

Locomotive inspection. equip their locomotives with safe and suitable boilers and appurtenances thereto" (U.S.C., title 45, sec. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotives and tender" (U.S.C., title 45, sec. 30), and amendment of June 7, 1924 (U.S.C., title 45, sec. 27), providing for the appointment from time to graph of section 4 of the Act of 1911 (U.S.C., title 45, sec. 26), and U.S.C., pp. 1439, 1441; the amendment of June 27, 1930 (U.S.C., Supp. VI, title 45, secs. 26) 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, \$449,606, of which amount not to exceed \$67,500 may be expended for personal services in the District of Columbia.

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Vol. 37, p. 701; Vol.
Act to amend an Act entitled 'An Act to regulate commerce', 60, p. 271; Vol. 42, p.
approved February 4. 1887. and all Acts amendatory thereof, by U.S.C., p. 1667. approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (U.S.C., title 49, sec. 19a), and by the "Emergency Railroad Transportation Act, 1933" (48 Stat., p. 221), including one director of valuation at \$10,000 per annum, and traveling expenses, \$1,052,700.

In all, salaries and expenses, Interstate Commerce Commission, \$5,305,970.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in transportation rates and not to exceed \$10,000 to print and furnish to the States, at cost, report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, \$125,000: Provided, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate excluded. Vol. 41, p. 497. Commerce Act.

Inspectors. Services in the Dis-

Safety systems. Vol. 41, p. 498. U.S.C., p. 1673.

Automatic train con-

Services in the District.

Additional inspec-

Issue of stock, etc.

Ante, p 221,

Printing and binding.

Proviso. Schedule of sailings-

Attendance at meet-

Not to exceed \$2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission.

Total, Interstate Commerce Commission, \$5,430,970.

nautics. All expenses. tific research, etc.

ings

trict. Living quarters. Vol. 46, p. 818; U.S.C, Supp. VII, p. 20.

Printing and binding.

Puerto Rican Hurri-ane Relief Commiscane sion. Sum available for administrative expenses.

Provisos. Payments when loan appropriations are not available.

New loans.

Smithsonian Institu-

Administrative penses.

International ex-

tion of the Smithsonian Institution, including necessary employees,

purchase of books and periodicals, supplies and equipment, and any other necessary expenses, \$34,338. International exchanges: For the system of international exchanges between the United States and foreign countries, under the direc-

Institution, compensation of necessary employees, traveling expenses,

National Advisory COMMITTEE FOR AERONAUTICS

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees; including not to Attendance at meet exceed \$500 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passengercarrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field Services in the Dis- and the District of Columbia; in all, \$707,792, of which amount not to exceed \$2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed \$720 may be so used for any one person and not to exceed \$84,600 for personal services in the District of Columbia.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, \$18,700.

Total, National Advisory Committee for Aeronautics, \$726,492.

PUERTO RICAN HURRICANE RELIEF COMMISSION

To enable the Puerto Rican Hurricane Relief Commission to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), not to exceed \$25,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and/or payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1935: Provided, That otherwise proper payments made or to be made prior to July 1, 1934, for administrative or other necessary expenses shall not be questioned because of the nonavailability of the loan appropriations for such expenses: Provided further, That no part of any unexpended balances available for expenditure by the Commission may be used for making any new loans after January 15, 1934.

SMITHSONIAN INSTITUTION

For expenses of the general administrative office, Smithsonian

and purchase of necessary books and periodicals, and traveling

expenses, \$39,692.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archæologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, \$52,910.

Astrophysical Observatory: For maintenance of the Astrophysical Astrophysical Servatory. Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, \$27,988.

American ethnology.

Ob-

NATIONAL MUSEUM

For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections; heating, lighting, electrical, telegraphic, and telephonic service, repairs and alterations of buildings, shops, and sheds, including approaches and all necessary material; personal services, and traveling and other necessary incidental expenses, \$132,622.

Preservation of collections: For continuing preservation, exhibi- reserving collections, etc. tion, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding \$3,000 for purchase of books, pamphlets, and periodicals, \$537,839.

National Museum.

Equipment, etc.

Contingent expenses.

NATIONAL GALLERY OF ART

For the administration of the National Gallery of Art by the penses. Smithsonian Institution, including compensation of necessary employees, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, and necessary incidental expenses, \$31,135.

National Gallery of Art.

PRINTING AND BINDING

For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$17,500.

Total, Smithsonian Institution, \$874,024, of which amount not to triet. exceed \$792,297 may be expended for personal services in the District of Columbia.

Printing and binding.

Services in the Dis-

Tariff Commission.

Salaries and expenses.

Reporting. Vol. 46, p. 696. U.S.C , Supp. VII, p. 429.

TARIFF COMMISSION

For salaries and expenses of the United States Tariff Commission, including purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (U.S.C., Supp. VI, title 19, secs. 1330-1341), \$826,398, of which amount not to exceed \$725,000 may be expended for personal services in the District of Columbia; not to exceed \$2,500 for expenses, except membership

Living quarters. Vol. 46, p. 818. U.S.C., Supp. VII, n. 20.

Provisos. Supplies and serv-

fees, of attendance at meetings concerned with subjects under investigation by the Commission; and not to exceed \$7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), but not to exceed \$720 may be so used for any one person: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) when the aggregate amount involved does not exceed \$50: Provided further, That no part of this appropriation shall be used to pay the salary of any member of the United States Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative. For all printing and binding for the Tariff Commission, \$14,500.

Printing and binding.

Total, Tariff Commission, \$840,898. United States Geo-graphic Board.

Salaries and expenses.

Printing and binding.

UNITED STATES GEOGRAPHIC BOARD

For salaries and expenses of the United States Geographic Board, including personal services in the District of Columbia, and for stationery and office supplies, \$8,140.

For printing and binding, \$1,300.

Total, United States Geographic Board, \$9,440.

Veterans' Administration.

VETERANS' ADMINISTRATION

MILITARY SERVICES

Military services.

Administration, medical, hospital, and domiciliary services. Salaries and ex-

Vol. 46, p. 1016. U.S.C., Supp. VII, p. 831.

Membership fees, attendance at meetings,

Services, rentals, travel, etc., expenses.

Transfer of effects.

Wearing apparel.

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U.S.C., Supp. VI, title 38, secs. 11-11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, \$86,740,099: Provided, That when found to be to the best interest of the United States, not to exceed \$500,000 of this amount may be used for payments to State institutions caring for and maintaining veterans, suffering from neuropsychiatric ailments, who are in such institutions on the date of the enactment of this Act: Provided further, That not to exceed \$3,500 of this amount shall be available for expenses, except membership fees, of employees detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war veterans: Provided further, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of

law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the Central Office in the District of Columbia; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting schools. children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend during the fiscal year 1935 not to exceed \$4,000 for actuarial services pertaining to the Government life insurance fund and the civil service retirement fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the fiscal year 1935 or prior fiscal years: Provided further, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: Provided further, That the appropriations herein made for medical and hospital services under the jurisdiction of the Veterans' Administration shall be available, not to exceed \$10,000, for erans' Administration shall be available, not to exceed \$10,000, for Experiments to determine the value of certain types of ent treatments. treatment: Provided further, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (U.S.C., title 24, sec. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

No part of this appropriation shall be expended for the purchase Use for new hospital of any site for or toward the construction of any new hospital or bidden. No part of this appropriation shall be expended for the purchase than \$3,269,500 of this appropriation may be used to repair, alter, ments, etc. home, or for the purchase of any hospital or home; and not more improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, \$130,000: Provided, That the District of Columbia, and elsewhere, \$130,000: Provided, That the Proviso.

Administrator of Veterans' Affairs is authorized to utilize the Wise of branch equipment. printing and binding equipment which the various hospitals and homes of the Veterans' Administration use for occupational therapy purposes for the purpose of doing such printing and binding as

Motor vehicles.

Transporting em-loyees' children to

Actuarial services.

Transfer of applica-ble funds.

Funeral,

Purchase of tobacco.

State, etc., homes; aid to.

Vol. 25, p. 450. U.S.C., p. 677.

Printing and binding.

Restrictions waived. Vol. 28, p. 622; Vol. 40, p. 1270. U.S.C., p. 1421.

may, in his judgment, be found advisable for the use of the Veterans' Administration, notwithstanding the provisions of section 87 of the Act entitled "An Act providing for the public printing and binding and the distribution of public documents", approved January 12, 1895, and section 11 of the Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved March 1, 1919 (U.S.C., title 44, sec. 111).

Pensions.

Pensions: For the payment of pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, \$296,291,997, to be immediately available: Provided, That Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose.

Proviso. Navy fund. from naval

For military and naval insurance accruing during the fiscal year

Military and naval insurance.

1935 or in prior fiscal years, \$112,300,000.

Adjusted service certificate fund.
Vol. 43, p. 128.
U.S.C., p. 1232; Supp.
VII, p. 853.

Adjusted service certificate fund: For an amount necessary under the World War Adjusted Compensation Act (U.S.C., title 38, secs. 591-683; U.S.C., Supp. VI, title 38, secs. 612-682), to provide for the payment of the face value of each adjusted service certificate in twenty years from its date or on the prior death of the veteran, and to make loans to veterans and repayments to banks in accordance with section 507 of the Act, as amended (U.S.C., Supp. VI, title 38, secs. 642, 647, 650; Act July 21, 1932, 47 Stat., pp. 724-725), \$50,000,000, to become available July 1, 1934, and remain available until expended.

Loans, etc. Vol. 43, p. 128; Vol. 46, p. 1429; Vol. 47, p. 724. U.S.C., p. 1233; Supp. VII, p. 855.

Adjusted service and dependent pay: For payment of adjusted Service and Service and Service and Service and ments due to dependents of deceased veterans, as provided in the Act of May 19, 1924, as amended (U.S.C., title 38, secs. 631–632, 663, 666; U.S.C., Supp. VI, title 38, secs. 661–662, 664–665, 667), \$1,286,000, to be immediately available and to remain available until expended.

Total, military services, \$546,748,096.

Civil Service Retirement Fund.

CIVIL-SERVICE RETIREMENT FUND

Contribution to.
Vol. 41, p. 614; Vol.
44, p. 912; Vol. 46, p.
468. U.S.C., p. 71;
Supp. VII, p. 51.

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U.S.C., Supp. VI, title 5, sec. 707a), \$20,850,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund."

Proviso. Oleomargarine striction.

Total, Veterans' Administration, \$567,598,096: Provided, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Salaries limited to average rates under Classification Act. Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. 1003. U.S.C., p. 65; Supp. VII, p. 34.

Total appropriated by this Act, \$588,001,548.
Sec. 2. In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compen-Restriction not applicable to clerical mechanical service.

Restriction service.

Restriction service.

Restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation. priation unit, (4) to prevent the payment of a salary under any Higher rates pergrade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to in a grade. If only one position reduce the compensation of any person in a grade in which only one position is allocated.

TITLE II—ECONOMY PROVISIONS

Economy provisions.

Sec. 21. (a) Title II of the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, is amended as follows:

(1) Section 2 is amended by inserting after "1984" the following: Determination of salaries, part of fiscal year and the fiscal year ending June 30, 1935"; and "and the fiscal year ending June 30, 1935"; and

Pay readinstments.

(2) Section 3 (b) is amended by striking out "15 per centum" and inserting in lieu thereof the following: "10 per centum during the portion of the fiscal year 1934 beginning February 1, 1934, and ending June 30, 1934, and shall not exceed 5 per centum during the fiscal year ending June 30, 1935."

Vol. 47, p. 401, Ante, p. 13.

(b) Section 105 (relating to the salaries of the Vice President, Speaker, Senators, Peaker of the House, Senators, Representatives, Delegates, Resident Representatives, etc. Salary provisions Speaker of the House, Senators, Representatives, Delegates, Resident Commissioners, and persons on the rolls of the Senate or House of Representatives) of the Legislative Appropriation Act, fiscal year 1933 (except subsections (d) and (e) thereof), as continued and amended by section 4 of title II of such Act of March 20, 1933, is hereby continued in full force and effect for the fiscal year ending June 30, 1935, and for the purpose of continuing such section, in the application of such section with respect to the fiscal year ending June 30, 1935, the figures "1933" shall be read as "1935"; except that in the application of such section with respect to the fiscal year ending June 30, 1935, subsection (a) is amended by striking out "15 per centum" wherever it appears and inserting in lieu thereof "the percentage of reduction applicable to officers and employees of the Federal Government generally." In the application of such section with respect to the portion of the fiscal year 1934 beginning February 1, 1934, and ending June 30, 1934, the percentage of reduction shall be the percentage applicable to officers and employees of the Federal Government generally.

(c) Section 107 (except paragraph (5) of subsection (a) thereof tions.

and subsection (b) thereof) of part II of the Legislative Appropriation Act, fiscal year 1933 (relating to certain special salary eductions); section 12 (relating to compensation reductions of employees of insular possessions), section 13 (relating to cipillar disability compensation benefits to certain givillar employees), and section sions.

Special salary reductions.

Vol. 47, p. 402.

Ante, pp. 13, 307.

Insular possessions, employees.

Retired judges.

Civilian disability compensation.

Certain private pensions. in compensation benefits to certain civilian employees), and section sions.

The relating to reduction in certain private pensions, and section sions.

The relating to reductions in certain private pensions of the prior to 1898.

The relating to reduction and the relating to reduction in certain private pensions of the prior to 1898.

The relating to reduction in certain private pensions of the prior to 1898.

The relating to reduction fiscal year 1935.

The relating to reduction for service prior to the Spanish-during fiscal year 1935.

The relating to reduction fiscal year 1935.

The relating to reduction certain private pensions.

The relating to reduction service pensions of the prior to 1898.

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The relating to reduction service pensions of the prior to 1898.

The relating to reduction service pensions of the prior to 1898.

The relating to reduction service pensions of the prior to 1898.

The relating to reduction service pensions of the pensions of t continued in full force and effect for the fiscal year ending June 30, 1935, and for the purpose of continuing such sections with respect to the fiscal year ending June 30, 1935, the figures "1933" (except in such sections 13, 14, and 15) shall be read as "1935" and the figures "1934" shall be read as "1935"; except that in the application of

Percentage reduction for 1935.

For portion of 1934.

such sections 12, 13, and 18 with respect to the fiscal year ending June 30, 1935, the percentage of reduction shall be the percentage applicable to officers and employees of the Federal Government generally. In the application of such sections 12, 13, and 18 with respect to the portion of the fiscal year 1934 beginning February 1, 1934, and ending June 30, 1934, the percentage of reduction shall be the percentage applicable to officers and employees of the Federal Government generally.

Deficiencies may be incurred to meet differences in payments.
Vol. 34, p. 49, waived.

d) Notwithstanding the provisions of the antideficiency Acts, deficiencies in their respective appropriations made during the second session of the Seventy-third Congress and available for obligation during the fiscal year ending June 30, 1935, may be incurred during such fiscal year by any executive department or independent establishment and the municipal government of the District of Columbia, upon written order of the President specifying the amount of the deficiency which may be incurred, and by the legislative branch of the Government and the agencies customarily considered a part of such branch; but such deficiencies may be incurred only to the extent necessary to enable the payment to officers and employees of such activities of sums for which the available appropriation is inadequate by reason of a diminution in the percentage of reduction of compensation in pursuance of action of the President under the provisions of section 3 of title II of such Act of March 20, 1933, as continued for the fiscal year 1935.

Appropriation of necessary funds.

Ante, p. 13.

(e) There is hereby appropriated so much as may be necessary for the payment of sums due, and payable out of the Treasury of the United States, by reason of the diminution under this title in the percentage of reduction of compensation, and other amendments to services are hereby respectively increased in proportion to the increase in appropriations for personal services made in this subsection. In the case of officers and employees of the municipal government of the District of Columbia. existing laws made hereby; and limitations on amounts for personal of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years.

Weekly compensa-tion of mechanics, etc., to be reestablished.

Proviso. Hours ment.

Certain related sections of Legislative Act of 1933 continued.
Vol. 47, p. 403.

Sec. 23. The weekly compensation, minus any general percentage reduction which may be prescribed by Act of Congress, for the several trades and occupations, which is set by wage boards or other wage-fixing authorities, shall be reestablished and maintained at rates not lower than necessary to restore the full weekly earnings of such employees in accordance with the full-time weekly earnings under the respective wage schedules in effect on June 1, 1932: Proof employ vided, That the regular hours of labor shall not be more than forty per week; and all overtime shall be compensated for at the rate of not less than time and one half.

Ante, p. 16.

SEC. 24. Title II of the Act entitled "An Act to maintain the Automatic promocredit of the United States Government", approved March 20, 1933, is amended by inserting at the and the area of the ar is amended by inserting at the end thereof the following:

"Sec. 10. (a) The following sections, as amended, of Part II of the Legislative Appropriation Act, fiscal year 1933, are hereby continued in full force and effect during the fiscal year ending June 30, 1935: Sections 201 (suspending automatic increases in compensation), 203 (prohibiting filling of vacancies), 206 (except subsection (a) thereof) (reducing travel allowances), 214 (authorizing temporary assignments in the Postal Service), 315 (restricting transfer of noncivilian personnel), 317 (authorizing transfers of appropriations), and 323 (reducing jurors' and witnesses' fees).

"(b) The following sections of the Treasury-Post Office Appropriation Act, fiscal year 1934, are hereby continued in full force and effect during the fiscal year ending June 30, 1935: Sections 7 (prohibiting administrative promotions): Provided, That adjustments of charges for quarters, subsistence or laundry, or other similar charges, shall not be interpreted as constituting administrative promotions, and 18 not be interpreted as constituting administrative promotions, and 18 (suspending reenlistment allowances).

"(c) Section 9 (a) of the Independent Offices Appropriation Act, Rotative furlough 1934 (relating to rotative furlough), is hereby continued in full Ante, p. 305.

force and effect during the fiscal year ending June 30, 1935.

"(d) For the purpose of continuing the sections enumerated in Filling vacancies during 1935 prohibited. subsections (a), (b), and (c) of this section, in the application of such sections with respect to the fiscal year ending June 30, 1935: The figures '1933' shall be read as '1935'; the figures '1934' as '1935' (except in the case of the second proviso of such section 317); in the case of the first proviso of such section 317, the figures '1935' shall be read as '1937', the figures '1934' shall be read as '1936', and the figures '1933' shall be read as '1935'; and in the case of section 203, the figures '1932' shall be read as '1934'.

"(e) In the application of the sections enumerated in subsections (a) (b) and (c) of this conting with respect to the figure and

(a), (b), and (c) of this section with respect to the fiscal year ending June 30, 1935 (but not with respect to the fiscal year ending June

30, 1934), the following amendments shall apply:

"(1) Section 201 (suspending automatic increases in compensation) of Part II of the Legislative Appropriation Act, fiscal year pensation.

1933, is amended by inserting at the end thereof the following:

Not applicable during the first transfer of the property of the pr 'This section shall not apply during the fiscal year ending June 30, ing 1935; except 1935, except to the extent that it suspends the longevity increases grevity increases. Vol. 42, p. 625. provided for in the tenth paragraph of section 1 of the Pay Adjustment Act of 1922. This amendment shall not authorize the payment of back compensation.'

"(2) Section 7 (prohibiting administrative promotions) of the motions.

Treasury-Post Office Appropriation Act, fiscal year 1934, is amended Vol. 47, p. 1515. by adding after the first proviso thereof a colon and the following: 'Provided further, That administrative promotions may be made during the fiscal year 1935 to the extent that funds are available therefor, on an annual basis, from savings made in the amounts apportioned for personal services from the applicable appropriations

for the fiscal year 1935'.

"(f) No part of the appropriations made during the second session of the Seventy-third Congress shall be used to pay any increase in the salary of any officer or employee of the United States Government or the municipal government of the District of Columbia by reason of the reallocation of the position of such officer or employee to a Reallocation of position after June 30, 1932, by the Personnel Classification tion after June 30, 1932. Board or the Civil Service Commission, and salaries paid accordingly shall be payment in full.

"(g) Each permanent specific annual appropriation available dur- Proportionate reducing the fiscal year ending June 30, 1935, is hereby reduced for that propriations. fiscal year by such estimated amount as the Director of the Bureau of the Budget may determine will be equivalent to the savings that will be effected in such appropriation by reason of the application

of this title."

SEC. 25. Section 8 of title II of such Act of March 20, 1933, is hereby amended by inserting after the word "Act" the following: "during the fiscal year ending June 30, 1934,".

Not applicable dur-ig 1935; except lon-

No back pay.

Administrative pro-

Provisions for, dur-ing fiscal year 1935.

Restriction on use of appropriations.

Impounding pended sums.

Veterans' provisions.

TITLE III—VETERANS PROVISIONS

Loss of use of both pensation. Vol. 43, p. 618. Ante, p. 8.

Loss of use of both Sec. 26. Notwithstanding any provision of law to the contrary, in Restoration of com- no event shall the compensation being paid on March 19, 1933, under reposition subsections (3) and (5) of section 202 of the World War Veterans' Act, 1924, as amended, to veterans for the loss of the use of both eyes, where such veterans were, except by fraud, mistake, or misrepresentation, in receipt of compensation on March 19, 1933, be reduced or discontinued, except in accordance with the regulations issued under the Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, pertaining to hospitalized cases.

Service connected disability, etc.

Vol. 43, p. 615.

Ante, p. 8.

Proviso. Service requirement.

Not contracted in service.

Service connection, established by fraud.

No reduction of payments for service-connected disabilities. Ante, pp. 8, 310,

Provisos.
When benefits not applicable.

Exception. Review of case

Burden of proof.

Restoration of rate to veteran whose service-connected disability is established.

Sec. 27. Where service connection for a disease, injury, or disability not caused by his own willful misconduct was on March 19, 1933, established in accordance with section 200 of the World War Veterans' Act, 1924, as amended, and such connection has been severed through the application of, or regulations or instructions promulgated under Public Law Numbered 2, Seventy-third Congress, or Public Law Numbered 78, Seventy-third Congress, service connection is hereby reestablished and as to such cases the provisions of the first paragraph of section 200 of the World War Veterans' Act, 1924, as amended, are hereby reenacted: Provided, That the provisions of this section shall not apply (1) to persons entering the active military or naval service subsequent to the date of November 11, 1918, (2) to persons as to whom clear and unmistakable evidence discloses that the disease, injury, or disability had inception before or after the period of active military or naval service, unless such disease, injury, or disability is shown to have been aggravated during service, (3) to persons as to whose cases service connection was established by fraud, clear or unmistakable error as to conclusions of fact or law, or misrepresentation of material facts; and as to all such cases enumerated in this proviso, all reasonable doubts shall be resolved in favor of the veteran, the burden of proof being on the Government.

SEC. 28. The fourth paragraph of section 20, Public Law Numbered 78, Seventy-third Congress, is hereby amended to read as

"Notwithstanding any of the provisions of Public Law Numbered 2, Seventy-third Congress, in no event shall the compensation being paid on March 19, 1933, for service-connected disabilities to those veterans who entered the active military or naval service on or before November 11, 1918, and whose disabilities are not the result of their own misconduct, where they were, except by fraud, misrepresentation of a material fact, or unmistakable error as to conclusions of fact or law, in receipt of compensation on March 19, 1933, be reduced or discontinued, except in accordance with the regulations issued under Public Law Numbered 2, Seventy-third Congress, pertaining to hospitalized cases: *Provided*, That the provisions of this section shall not apply to persons as to whom clear and unmistakable evidence discloses that the disease, injury, or disability had inception before or after the period of active military or naval service, unless such disease, injury, or disability is shown to have been aggravated during service; and in any review of the case of any veteran to whom compensation was being paid on March 19, 1933, for service-connected disability, reasonable doubts shall be resolved in favor of the veteran, the burden of proof being on the Government: Provided further, That, subject to the limitations above prescribed, except as to receipt of compensation on March 19, 1933, and notwithstanding the provisions of Public Law Numbered 2,

Seventy-third Congress, or any other law, veterans whose disease, injury, or disability is established on or after this paragraph as amended takes effect as service-connected in accordance with the provisions of section 200 of the World War Veterans' Act, 1924, as amended, shall be entitled to receive compensation in accordance with the provisions of such Act, as amended, and the rating schedule in effect on March 19, 1933; but veterans whose disease, injury, or disability is reestablished as service-connected under such section lished as service-connected. 200 by section 27 of Title III of the Independent Offices Appropriated. Ant., 1025, chell be reid. 75 personner of the connected. Ante, p. 524. ation Act, 1935, shall be paid 75 per centum of the compensation under the provisions of the World War Veterans' Act, 1924, as amended, and such rating schedule: Provided further, That when-disability. ever there is a change in the degree of disability of any such veteran the amount of compensation to be paid shall be determined pursuant Determination of to the provisions of the World War Veterans' Act, 1924, as amended, compensation.

and the rating schedule in effect on March 19, 1933, and such amount shall not be reduced or discontinued. In no event shall death compensation being paid, except by fraud, misrepresentation of a material fact, or unmistakable error as to conclusions of fact or law, to widows, children, and dependent parents of deceased World War veterans under the World War Veterans' Act, 1924, as amended, on March 19, 1933, be reduced or discontinued, whether the death of the veteran on whose account compensation is being paid was directly or presumptively connected with service. In any case where a World War veteran dies or has died from disease or injury, and service connection for such disease or injury has been reestablished on or after the date this paragraph as amended takes effect as service-connected under section 200 of the World War Veterans' Act, 1924, as amended, or which would have been established under such section 200 had the veteran been living on March 19, 1933, and reestablished on or after the date this paragraph as amended takes effect, the surviving widow, child, or children and/or dependent parents shall be entitled to receive compensation at the rates prescribed in Veterans' Regulation Numbered 1 (a), part I, paragraph IV, and amendments thereto."

Sec. 29. Section 6 of Public Law Numbered 2, Seventy-third Con- Domiciliary care gress, as amended by Public Law Numbered 78, Seventy-third Con-newly veterans gress, is hereby amended by adding thereto the following proviso: "Provided, That any veteran of any war who was not dishonorably discharged, suffering from disability, disease, or defect, who is in need of hospitalization or domiciliary care, and is unable to defray the necessary expenses therefor (including transportation to and from the Veterans' Administration facility), shall be furnished necessary hospitalization or domiciliary care (including transportation) in any Veterans' Administration facility, within the limitations existing in such facilities, irrespective of whether the disability, disease, or defect was due to service. The statement under oath of the applicant on such form as may be prescribed by the Administrator of Veterans' Affairs shall be accepted as sufficient evidence of inability to defray necessary expenses."

Numbered 2, Seventy-third Congress, no pension being paid on March 19, 1933, to any veteran of the Spanish-American War, Restriction on reducincluding the Boxer Rebellion and the Philippine Insurrection, or to the widow as long as she remains unmarried and/or dependents of any such veteran, shall be reduced by more than 25 per centum, except in accordance with the regulations issued pursuant to Public Law Numbered 2, Seventy-third Congress, pertaining to hospitalized

Ante, pp. 9, 301.

Transportation.

Prescribed oath to be accepted as sufficient.

Province Excepted cases.

Federal employees.

Enlistment after August 12, 1898.

Reenactment of laws granting benefits. monetary

Veteran suffering in-jury, etc., during train-ing, hospitalization, etc.

Award

Benefits to be in heu of those of Workmen's Compensation Act. Vol. 39, p. 7421, U.S.C., p. 77.

Ante, p. 10.
Participation by
beneficiary in decision
Service connected Service connected benefits termed "com-pensation."

Effective date.

Yearly renewable term insurance. Existing provisions modified. Ante, pp. 11, 309.

cases and except where his disability is the result of his own willful misconduct: Provided, That the provisions of this section shall not apply (1) to persons to whom payments were being made on March 19, 1933, through fraud, clear or unmistakable error as to conclusions of fact or law, or misrepresentation of a material fact, except that decisions as to degree of disability rendered prior to March 20, 1933, shall be conclusive, or (2) to any person during any year following a year for which such person was not entitled to exemption from the payment of a Federal income tax: Provided, however, That a veteran in Federal employ shall not receive more than \$6 per month if his salary if single exceeds \$1,000 and if married \$2,500: Provided further, That this section shall not apply to any person who enlisted after August 12, 1898, and who did not serve in either the Boxer Rebellion or the Philippine Insurrection.

All laws in effect on March 19, 1933, granting monetary benefits to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, are hereby reenacted in their entirety, and such laws shall be effective from and after the effective date of this Act, subject to the limitations of this section and to such reduction in pensions as may be made hereunder.

SEC. 31. Where any veteran suffers or has suffered an injury, or an aggravation of any existing injury, as the result of training, hospitalization, or medical or surgical treatment, awarded him under any of the laws granting monetary or other benefits to World War veterans, or as the result of having submitted to examination under authority of the War Risk Insurance Act or the World War Veterans' Act, 1924, as amended, and not the result of his misconduct, and such injury or aggravation results in additional disability to or the death of such veteran, the benefits of Public Law Numbered 2, of Public Law Numbered 78, and of this title shall be awarded in the same manner as if such disability, aggravation, or death were Application for bene- service connected within the meaning of such laws; except that no benefits under this section shall be awarded unless application be made therefor within two years after such injury or aggravation was suffered, or such death occurred, or after the passage of this Act, whichever is the later date. The benefits of this section shall be in lieu of the benefits under the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended.

SEC. 32. The last sentence of section 9 of Public Law Numbered 2,

Seventy-third Congress, is hereby repealed.

SEC. 33. Service-connected money benefits payable to World War veterans under this title and Public Law Numbered 2, Seventy-third Congress, shall be entitled "compensation" and not "pension".

SEC. 34. This title shall take effect on the date of enactment of this Act, and no payments of any benefits conferred under the provisions of this title shall be made for any period prior to such date.

SEC. 35. That notwithstanding the provisions of section 17 of title I of an Act entitled "An Act to maintain the credit of the United States Government", approved March 20, 1933, and section 20 of an Act entitled "An Act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1934, and for other purposes", approved June 16, 1933, any claim for yearly renewable term insurance under the provisions of laws repealed by said section 17, wherein claim was duly filed prior to March 20, 1933, and on which maturity of the insurance contract

had been determined by the Veterans' Administration prior to March 20, 1933, and where payments could not be made because of the provisions of the Act of March 20, 1933, or under the provisions of the Act of June 16, 1933, may be adjudicated by the Veterans' Administration, and any person found entitled to yearly renewable term insurance benefits claimed shall be paid such benefits in accordance with and in the amounts provided by such prior laws.

SEC. 40. This Act may be cited as the "Independent Offices Appropriation Act, 1935."

Title of Act.

HENRY T. RAINEY Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

In the House of Representatives of the United States, March 27, 1934. Certificate of House of Representatives.

The House of Representatives having proceeded to reconsider the bill (H.R. 6663) entitled "An Act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1935, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was-

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

SOUTH TRIMBLE. Člerk.

IN THE SENATE OF THE UNITED STATES, March 28, 1934. Certificate of Senate.

The Senate having proceeded to reconsider the bill (H.R. 6663) entitled "An Act making appropriations for the Executive Offices and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1935, and for other purposes," returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was

RESOLVED, That the said bill pass, two-thirds of the Senators

present having voted in the affirmative.

Attest:

EDWIN A. HALSEY. Secretary

I certify that this Act originated in the House of Representatives. SOUTH TRIMBLE, Člerk.

[CHAPTER 103.]

AN ACT

April 7, 1934 [H.R. 7478.] [Public, No. 142.]

To amend the Agricultural Adjustment Act so as to include cattle and other products as basic agricultural commodities, and for other purposes.

Ante, p. 38; Post, p. 670.
Cattle as basic agricultural commodity.

Be it enacted by the Senate and House of Representatives of the Agricultural Adjustment Act, amendments.

**The Act of the Agricultural Adjustment Act, as amended, is amended by Ante, p. 38; Post, p. adding after the word "hogs" a comma and the word "cattle".

**Cottle of both agricultural Adjustment Act, as amended, is amended by adding after the word "hogs" a comma and the word "cattle".

SEC. 2. Subsection (a) of section 12 of the Agricultural Adjustment Act, as amended, is amended by adding at the end thereof a

Post, p. 805.

Appropriation authorized. Financing surplus terms and conditions as he may prescribe, surplus reductions and reductions of dairy and beef-cattle industries.

Post. p. 805.

Appropriation authorized. To enable the Secretary of Agriculture to finance, under such may prescribe, surplus reductions and production adjustments with respect to the dairy- and beef-cattle industries and to correspond to the production adjustments with respect to the dairy- and beef-cattle industries and to correspond to the production adjustments with respect to the dairy- and beef-cattle industries. industries, and to carry out any of the purposes described in subsections (a) and (b) of this section (12) and to support and balance the markets for the dairy and beef cattle industries, there is authorized to be appropriated, out of any money in the Treasury not other-Restriction on ex. wise appropriated, the sum of \$200,000,000: Provided, That not more than 60 per centum of such amount shall be used for either of such industries."

penditure.

SEC. 3. (a) Subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is amended by renumbering paragraph (5) as paragraph (6) and by adding after paragraph (4) a new paragraph as follows:

Ante, p. 36. Processing tax. Post, pp. 675, 1242.

"(5) In case of peanuts, the term 'processing' means the cleaning,

Peanuts; processing

polishing, grading, shelling, crushing, or other processing thereof."

(b) Section 11 of such Act, as amended, is amended by adding after the word "tobacco" a comma and the word "peanuts".

As basic agricultural commodity.

Rye, flax, and barley, added.

SEC. 4. Section 11 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "wheat" a comma and the words "rye, flax, barley".

Grain sorghums.

SEC. 5. Section 11 of the Agricultural Adjustment Act, as amended, is amended by adding after the words "field corn" a comma and the words "grain sorghums".

Post, p. 805.

Appropriation au SEC. 6. There is authorized to be appropriated the sum of thorized. Advances to Federal \$50,000,000 to enable the Secretary of Agriculture to make advances surplus Relief Corporation. and beef products for distribution for relief purposes, and to enable the Secretary of Agriculture, under rules and regulations to be promulgated by him and upon such terms as he may prescribe, to eliminate diseased dairy and beef cattle, including cattle suffering eased cattle.

Payments to owners. from tuberculosis or Bangs' disease, and to make payments to owners with respect thereto.

Elimination of dis-

Sec. 7. The first sentence of subsection (2) of section 8 of the Agricultural Adjustment Act, as amended, is amended to read as follows: "After due notice and opportunity for hearing, to enter into marketing agreements with processors, producers, associations of producers, and others engaged in the handling of any agricultural commodity or product thereof, in the current of or in competition with, or so as to burden, obstruct, or in any way affect, interstate or foreign commerce."

Ante, p. 34.
Powers of Secretary
of Agriculture
Marketing agreements.

Approved, April 7, 1934.

[CHAPTER 104.]

AN ACT

Making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1935, and for other purposes.

April 7, 1934 (H.R. 7513.) [Public, No. 143.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the follow-Departments of State ing sums are appropriated, out of any money in the Treasury not and Justice, the Judiotherwise appropriated, for the Departments of State and Justice ments of Commerce and for the judiciary, and for the Departments of Commerce and and Labor, fiscal year Labor, for the fiscal year ending June 30, 1935, namely:

TITLE I—DEPARTMENT OF STATE

Department of State.

OFFICE OF THE SECRETARY OF STATE

Salaries: For Secretary of State; Under Secretary of State, Secretary Under Secretary of State, Stat employees engaged on piecework at rates to be fixed by the Secretary ment for personal services in the District of Columbia in accordance Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. of the Department of State, the Assistant for the Assistant Solution Action Assistant Solicitor General, and six Assistant Attorneys General, the Assistant Secretaries of Commerce, the Assistant Secretary and the Second Assistant Secretary of Labor, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: Provided, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different by many office. same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which in grade only one position is allocated.

If only one position

CONTINGENT EXPENSES, DEPARTMENT OF STATE

For contingent and miscellaneous expenses, including stationery, of Department. furniture, fixtures; typewriters, adding machines, and other laborsaving devices, including their exchange, not exceeding \$10,000; repairs and materials for repairs; purchase and exchange of books, maps, and periodicals, domestic and foreign, and when authorized by the Secretary of State for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding \$15,880; newspapers not exceeding \$1,500; maintenance, repair, and storage of motor-propelled vehicles, to be used only for official purposes (one for the Secretary of State and two

Vehicles

86637°-34-34

for dispatching mail, and one motorcycle for the general use of the Refund of passport and exchange of same; street-car fare not exceeding \$150; traveling expenses: refund of fees expenses: expenses; refund of fees erroneously charged and paid for the issue of passports to persons who are exempted from the payment of such Vol. 41, p. 750; Vol. fee by section 1 of the Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, p. 477. Supp. VII, approved June 4, 1920 (U.S.C., Supp. VI, title 22, sec. 214a); the examination of estimates of appropriations in the field; and other miscellaneous items not included in the foregoing; \$60,000.

Printing and binding.

PRINTING AND BINDING

For all printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$107,180.

Passport agencies.

PASSPORT AGENCIES

For salaries and expenses of maintenance, and traveling expenses not to exceed \$500, for not to exceed five passport agencies, \$46.665.

ritories

Official papers of Ter- COLLECTING AND EDITING OFFICIAL PAPERS OF TERRITORIES OF THE UNITED STATES

Collecting, etc., for publication.

Proviso. Limit on total num-ber of copies, etc.

Distribution. Vol. 45, p. 1412. Copies to Ser and Representatives.

For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United Printing and binding. States, including personal services in the District of Columbia and elsewhere, printing and binding, and contingent and traveling

expenses, as provided by the Act approved February 28, 1929 (45 Stat. 1412), \$12,000: Provided, That the total number of copies of any volume to be printed and bound under this or any existing appropriation for printing and binding of these papers shall not exceed one thousand two hundred and the total number of copies of any volume to be printed and binding of these papers shall not exceed one thousand two hundred and the total number of the papers. Senators be distributed as provided in section 3 of such Act, except that each Senator shall receive not to exceed three copies and each

Foreign intercourse.

FOREIGN INTERCOURSE

AMBASSADORS AND MINISTERS

Salaries. Ambassadors

Ambassadors extraordinary and plenipotentiary to Argentina, Brazil, Chile, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Poland, Russia, Spain, and Turkey, at \$17,500 each; Ambassador extraordinary and plenipotentiary to Belgium and envoy extraordinary and minister plenipotentiary to Luxemburg,

\$17,500;

Ministers and Nether-

lands.

Envoys extraordinary and ministers plenipotentiary to China and the Netherlands, at \$12,000 each;

Other countries.

Envoys extraordinary and ministers plenipotentiary to Albania, Austria, Bolivia, Bulgaria, Czechoslovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Irish Free State, Liberia, Nicaragua, Norway, Panama, Paraguay, Persia, Portugal, Rumania, Salvador, Siam, Union of South Africa, Sweden, Switzerland, Uruguay, Venezuela, and Yugoslavia, at \$10,000 each; and to Estonia, Latvia, and Lithuania, \$10,000;

Representative not to exceed one.

romso Salary restriction. In all, not to exceed \$578,250;

Provided, That no salary herein appropriated shall be paid to any official receiving any other salary from the United States Government.

SALARIES OF FOREIGN SERVICE OFFICERS

Foreign Service offi-

For salaries of Foreign Service officers as provided in the Act vol. approved February 23, 1931 (U.S.C., Supp. VI, title 22, secs. 3, 3a), U.S. U.S. (U.S.C., Supp. VI, title 22, secs. 3, 3a), p. 471. \$2,781,000.

Salaries. Vol. 46, p. 1207. U.S.C., Supp. VII, Ante, p. 466; Post, pp. 834, 1060.

SALARIES, FOREIGN SERVICE OFFICERS WHILE RECEIVING INSTRUCTIONS AND IN TRANSIT

To pay the salaries of ambassadors, ministers, consuls, vice consistence of the United States for the period actually R.S., sec. 1740, p. 309. U.S.C., p. 650. suls, and other officers of the United States for the period actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act in pursuance with the provisions of section 1740 of the Revised Statutes, \$13,500.

SALARIES, FOREIGN SERVICE OFFICERS WHILE ACTING AS CHARGÉS D'AFFAIRES

For salaries of Foreign Service officers or vice consuls while acting charges as chargé d'affaires ad interim or while in charge of a consulate general or consulate during the absence of the principal officer, \$18,000.

TRANSPORTATION OF FOREIGN SERVICE OFFICERS

Transportation, For-eign Service officers

To pay the traveling expenses of Diplomatic, Consular, and For-

eign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, including not to exceed \$25,000 incurred in connection with leaves of absence, and of the preparation and transportation of the remains of those officers and said employees of the Foreign Service, who have died or may die abroad or in transit and in connection with Leaves of absence.

Bringing home remains of officers, etc., who have died or may die abroad or in transit and in the said employees. who have died or may die abroad or in transit while in the discharge of their official duties, to their former homes in this country or to a place not more distant for interment and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (U.S.C. title 22. sec. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, R.S., sec. 1749, p. 311. and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties, \$449,500: Provided. That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission.

Proviso.
Subsistence expenses of officers on temporary

ALLOWANCES FOR RENT, HEAT, FUEL, AND LIGHT, FOREIGN SERVICE

Rent, heat, fuel, and light allowances.

For rent, heat, fuel, and light for the Foreign Service for offices and grounds, and, as authorized by the Act approved June 26, 1930 Living quarters. U.S.C., Supp. VI, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and not U.S.C., Supp. VII, title 5, sec. 118a), for living quarters and grounds, and, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), for living quarters and not to exceed \$1,454,000 for allowances for living quarters, including beau, fuel, and light \$2,225,955, of which \$238,000 shall be immediavailable. ately available: Provided, That payment for rent may be made in advance: Provided further, That the Secretary of State may enter into leases for such offices, grounds, and living quarters for periods not exceeding ten years: *Provided further*. That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light in an amount exceeding \$3,000 for an arrange of the state ambassador or a minister, and not exceeding \$1,700 for any other

immediately Rent payments in advance.

Custodial, etc., serv- Foreign Service officer: Provided further, That under this appro-Custodial, etc., services.

Restriction on expenditures for.

Foreign Service officer: Provided jurtner, that under this appropriation herein for "Contingent expenses, Foreign Service", not more than \$3,000 shall be expended for custodial service, heat, fuel, and light in any Government-owned building used for residence or residence and office purposes for an ambassador or minister, and not more than \$1,700 for such purposes in the case of any other Foreign Service officer, except that at any post at which the expenditures for such purposes for the fiscal year 1933 were in excess of the limitation of \$3,000 in this last proviso in the case of an ambassador or minister there may be expended during the fiscal year 1935 an amount equal to the sum so authorized to be expended during the fiscal year 1933, but in no event to exceed \$5,000; and during the incumbency of a chargé d'affaires the limitation on such expenditures shall be the same as for the occupancy of the principal officer.

COST OF LIVING ALLOWANCE, FOREIGN SERVICE OFFICERS

p. 472. Sum available.

Proviso Expenditure.

Cost of living allowances To carry out the provisions of the Act approved February 23, Vol. 46, p. 1209. VII, Supp. VII, title 22, secs. 12, 23c) relating to allowances and/or additional compensation to diplomatic, consular, and Foreign Service officers and/or clerks when such allowances and/or additional compensation are necessary to enable such officers and/or clerks to carry on their work efficiently: Provided, That such allowances and/or additional compensation shall be granted only in the Sum available. immediately discretion of the President, and under such regulations as he may prescribe, \$300,000, of which amount not to exceed \$100,000 shall be immediately available.

Foreign Service Building Fund.

FOREIGN SERVICE BUILDING FUND

Vol. 44, p. 404. U.S.C., Supp. VII, p. 480.

Sum available for.

For the purpose of carrying into effect the provisions of the "Foreign Service Buildings Act, 1926", as amended (U.S.C., Supp. VI, title 22, sec. 295), and for each and every object thereof, heretofore acquired under specific authorization of Congress for the use of the diplomatic and consular establishments in foreign countries, \$1,165,000, fiscal year 1935, to remain available until expended: Provided, That in expending appropriations for the foregoing purposes obligations shall not be incurred. including the initial alterations, repair, and furnishing of buildings going purposes obligations shall not be incurred which will require expenditures in excess of the total of \$10,000,000 now authorized by law: Provided further, That no part of the appropriation made herein shall be expended for the purchase of old buildings.

Foreign Service re-tirement, etc., fund.

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Federal contribution. Vol. 46, p. 1211. U.S.C., Supp. VII,

For financing the liability of the United States, created by the Act approved February 23, 1931 (U.S.C., Supp. VI, title 22, sec. 21), \$159,100, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

Clerks in Foreign Service.

SALARIES OF CLERKS IN THE FOREIGN SERVICE

Salaries.

For salaries of clerks in the Foreign Service, as provided in the U.S.C., Supp. VII, Act approved February 23, 1931 (U.S.C., Supp. VI, title 22, sec. 23a), 474. including salaries during transit to and from homes in the United States upon the beginning and after termination of service, \$2,101,500.

CONTINGENT EXPENSES, FOREIGN SERVICE

For stationery; blanks; record and other books; seals; presses; Government build-flags; signs; repairs, including minor alterations; repairs, supervision, preservation, and maintenance of Government-owned diplomatic U.S.O., Supp. VII, For stationery; blanks; record and other books; seals; presses; and consular properties in foreign countries, and properties acquired p. 479. under the Act approved May 7, 1926, as amended (U.S.C., Supp. VI, title 22, secs. 291, 296), and including also custodial service, water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase (at not to exceed \$750 for any one automobile), maintenance, operation and hire of motor-propelled or horse-drawn passenger-carrying vehicles, and purchase, maintenance, operation, and hire of other passenger-carrying vehicles; funds for establishment and maintenance of commissary service; uniforms; furniture, household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended for Government-owned or rented buildings when in the judgment of the Secretary of State it would be in the public interest to do so, not to exceed \$75,000; typewriters and exchange of same; messenger service; operation, maintenance, and rental of launch for embassy in Turkey, not exceeding \$3,500; compensation of kavasses, guards, dragomans, porters, interpreters, translators, Chinese writers, and supervisors of construction and compensation of agents and employees of and rent and other expenses for dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans, in-sit. cluding salaries during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; traveling expenses, including attendance at trade attendance at trade and other conferences or congresses under orders of the Secretary of conferences, etc. State as authorized by the Act approved February 23, 1931 (U.S.C., Supp. VI, title 22, sec. 16); loss by exchange; payment in advance p. 472. of telephone and other similar services and rent of dispatch agencies, expenses of vice consulates and consular agencies for any of the foregoing objects; cost, not exceeding \$350 per annum each, of the tuition of Foreign Service officers assigned for the study of the languages of Asia and eastern Europe; and such other miscellaneous expenses as the President may deem necessary, \$1,314,870: Provided, That no part of this appropriation shall be expended for salaries for clerical services. or wages of persons not American citizens performing clerical services (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any foreign mission.

RESCUE, RELIEF, AND PROTECTION OF AMERICAN SEAMEN

For relief, protection, and burial of American seamen in foreign countries, in the Panama Canal Zone, and in the Philippine Islands, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, in Puerto Rico, and in the Virgin Islands; and for expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea; \$6,000: Provided, That no part of this or any other appropriasea; \$6,000: Provided, That no part of this or any other appropriation shall be available for making payment to steamship owners or penditure. operators for transporting a destitute or shipwrecked seaman if the last previous service of the destitute or shipwrecked seaman was on a vessel of such steamship owner or operator and was not terminated by desertion.

Contingent expenses, Foreign Service.

Government build-

Dispatch agencies. Salaries during tran-

Vol. 46, p. 1209. U.S.C., Supp. VII,

Relief of American Ante. p. 395.

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE

Emergencies.

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial Neutrality Act, expenses.

R.S., sec. 291, p. 49. expenses attendant upon the execution of the Neutrality Act, to be U.S.C., p. 982. expended pursuant to the requirement of section 291 of the Revised Statutes (U.S.C., title 31, sec. 107), \$175,000.

CONTRIBUTIONS, QUOTAS, AND SO FORTH

Contributions, quo-

For payment of the annual contributions, quotas, and/or expenses, including loss by exchange, in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, as follows: Cape Spartel and Tangier Light, Coast of Morocco, \$825; International Bureau of Weights and Measures, \$4,342.50; International Bureau for Publication of Customs Tariffs, \$1,400; Pan American Union, quota, \$168,762, printing and binding, \$20,000, in all, \$188,762; International Bureau of Permanent Court of Arbitration, \$2,000; Bureau of Interparliamentary Union for Promotion of International Arbitra-Interparliamentary Union for Promotion of International Arbitration, \$7,500; International Institute of Agriculture at Rome, Italy, \$5,400; Pan American Sanitary Bureau, \$30,236.51; International Office of Public Health, \$3,015.79; International Radiotelegraphic Convention, \$7,527; Government of Panama, \$250,000; International Hydrographic Bureau, \$5,404; International Trade-Mark Registration Bureau, \$14,330.20; International Bureau for Protection of Industrial Property, \$1,350; Gorgas Memorial Laboratory, \$50,000; American International Institute for the Protection of Childhood, \$2,000; International Statistical Bureau at The Hague, \$2,000; International Map of the World on the Millionth Scale, \$50: International national Map of the World on the Millionth Scale, \$50; International Technical Committee of Aerial Legal Experts, \$250; Convention Relating to Liquor Traffic in Africa, \$55; and International Prison Commission, \$3,500; in all, \$579,948, together with such additional sums, due to increases in rates of exchange as may be necessary to pay in foreign currencies the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation for the fiscal years 1934 and 1935.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO

R.S., sec. 3709, p. 733. U.S.C., p. 1309.

International Boundary Commission, United States and the treaties of 1884, 1889, 1905, 1906, and 1933 between the United Mexico. Vol. 24, p. 1011; Vol. States and Mexico, and of compliance with public resolutions approved March 3, 1927, and February 14, 1931, and the Act making appropriations for the Department of State for the fiscal year 1933, 164, p. 146; Vol. 47, p. 480. appropriations for the Department of State for the fiscal year 1933, including operation of gaging stations where necessary and their equipment; personal services and part in the District of Columbia. including operation of gaging stations where necessary and their equipment; personal services and rent in the District of Columbia equipment; personal services and rent in the District of Columbia and elsewhere; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses, including transportation of effects; printing and binding; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger and freight carrying vehicles; drilling and testing of dam sites, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); equipment and such other miscellaneous expenses as the Secretary of State may deem other miscellaneous expenses as the Secretary of State may deem proper, \$109,000.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA AND ALASKA AND CANADA

To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain Obligations under the treaty between the United States and Great Britain obligations under the treaty between United States and Great Britain respect of Canada, signed February 24, 1925; for salaries and Great Britain Great Britain Great Britain and Great Britain Great Brita expenses, including the salary of the commissioner and salaries of tain. Vol. 44, p 2102. the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; cost of office equipment and supplies; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed \$4 per day each, but not to exceed \$1.75 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed \$500; and for all other necessary and reasonable expenses incurred by the United States in main- Maintenance of boundary line. taining an effective demarcation of the international boundary line between the United States and Canada and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain, to be disbursed under the direction of the Secretary of State, \$38,000.

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL Commission, United States and Great Britain. International Joint Commission, United States and Great Britain.

For salaries and expenses, including salaries of commissioners etc. and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American commissioners to be necessary, including travel expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of law books, books of reference and periodicals, office equipment and supplies; and for one half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, \$28,000, to be disbursed under the direction of the Secretary of State: Provided, That traveling expenses of the commissioners, secretary, and necessary employees shall be allowed in accordance with the provi- p. 53. sions of the Subsistence Expense Act of 1926, as amended (U.S.C., title 5, ch. 16).

For an additional amount for necessary special or technical inves- special and technical investigations. tigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase, exchange, hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, \$54,200, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Vol. 36, p. 2448.

Proviso.
Travel expenses.
Vol. 44, p. 688.
U.S.C., Supp. VII,

Personal services.

International Fisher-ies Commission.

Share of expenses.

INTERNATIONAL FISHERIES COMMISSION

For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Great Britain, concluded May 9, 1930, including salaries of two members and other employees of the Commission, traveling expenses, charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent in the District of Columbia, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, \$31,500: Provided, That not to exceed \$700 shall be expended by the Commissioner and/or his staff in attending meetings of the Commission.

Prisons for American

Maintenance

Insane persons

PRISONS FOR AMERICAN CONVICTS

For expenses of maintaining in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat institutions for incarcerating American convicts and persons declared insane by any consular court; wages of prison keepers; rent of quarters for prisons; ice and drinking water for prison purposes; and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat, so much as may be necessary; \$1,250.

Bringing home persons

crime.
Expenses
R.S., sec 5275, p. 1022. U.S.C, p. 511 Ante, p. 454.

Minor purchases without advertising R.S., sec. 3709, p. 733. U.S.C., p. 1309.

Restriction on ex-penditures for rent

Expenses, procuring information for corpo-

rations, etc.

Short title.

BRINGING HOME PERSONS CHARGED WITH CRIME

For every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (U.S.C., title 18, sec. 659), \$2,000.

Section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) shall not apply to any purchase or service rendered payable from the foregoing appropriations when the aggregate amount involved does not exceed \$100 or when the purchase or service relates to the packing of personal and household effects of Diplomatic, Consular, and Foreign Service officers and clerks for foreign shipment.

No portion of the sums appropriated in title I of this Act shall,

unless expressly authorized, be expended for rent or rental allowances in the District of Columbia or elsewhere in the United States.

Wherever the Secretary of State, in his discretion, procures information on behalf of corporations, firms, and individuals, the expense of cablegrams and telephone service involved may be charged against the respective appropriations for the service utilized; and reimbursement therefor shall be required from those for whom the information was procured and, when made, be credited to the appropriation under which the expenditure was charged.

This title may be cited as the "Department of State Appropriation Act, 1935."

Department of Jus-

TITLE II—DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

Attorney General, Solicitor General. Personal services

Salaries: For the Attorney General, Solicitor General, Assistant to the Attorney General, and other personal services in the District of Columbia; \$1,216,500.

Books, purchase, etc.

Books: For the purchase of law books, books of reference, and periodicals, including the exchange thereof, for the Department of Justice, \$10,130: Provided, That not to exceed \$2 per volume shall Provided be paid for the current and future volumes of the United States states

Code, Annotated.

Contingent expenses: For stationery, furniture and repairs, floor coverings not exceeding \$1,500, file holders and cases; miscellaneous expenditures, including telegraphing and telephones, postage, labor. typewriters and adding machines and the exchange thereof and repairs thereto, street-car fares not exceeding \$300, newspapers, press clippings, and other necessaries ordered by the Attorney General; official transportation, including the repair, maintenance, and operation of five motor-driven passenger cars, one for the Attorney General, two for general use of the Department, two for the Division of Investigation for investigative work, delivery truck, and motorcycle, to be used only for official purposes, and purchase and repair of bicycles, \$86,000: Provided, That this appropriation may be reimbursed for expenditures in connection with cars herein correspondence. authorized for the Division of Investigation from the appropriation for the expenses of said Division when approved in writing by the Attorney General.

Printing and binding: For printing and binding for the Depart-

ment of Justice and the courts of the United States, \$282,000.

Traveling and miscellaneous expenses: For traveling and other Travel and neous expense miscellaneous and emergency expenses, authorized and approved by the Attorney General, to be expended at his discretion, \$37,000.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Conduct of customs cases: Assistant Attorney General, special Conduct of customs attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General, including experts at such rates of compensation as may be authorized or approved by the Attorney General; supplies, Supreme Court Reports and Digests, and Federal Reporter and Digests, traveling, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all \$99,800.

Defending suits in claims against the United States: For necessary claims against united expenses incurred in the examination of witnesses, procuring evi-states. dence, employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and such other expenses as may be necessary in defending suits in the Court of Claims, including Indian depredation claims, to be expended under

the direction of the Attorney General, \$50,000.

Division of Investigation

SALARIES AND EXPENSES

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts. probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, with-

Proviso. Price limit, United tates Code, anno-

Contingent expenses.

Vehicles.

Proviso. Reimbursement for

Printing and binding.

Travel and miscella-

Miscellaneous.

Division of Investi-

Salaries and

Detection and prose-cution of crimes. Protection of the President. of the

Identification

Investigations.

out exception, shall be examined by the agents of the Division of

Official matters un-der control of Depart-ment of State.

Vehicles.

Supplies.

Investigation at any time; and also, when requested by the presiding judge, the official acts, records, and accounts of referees and trustees of such courts; for such other investigations regarding official matters under the control of the Department of Justice and the Department. ment of State as may be directed by the Attorney General; hire, maintenance, upkeep, and operation of motor-propelled passengercarrying vehicles when necessary; for copying in the District of Columbia or elsewhere, reports of examiners at folio rates; firearms and ammunition, such stationery, supplies, and equipment for use at the seat of government or elsewhere as the Attorney General may direct, including not to exceed \$13,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses, including expenses of attendance at meetings concerned with the work of such division when authorized by the Attorney General; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice, and including not to exceed \$520,000 for personal services in the District of Columbia; \$2,880,000. Alcoholic Beverage Unit: For salaries and expenses to enforce

Alcoholic Beverage Unit. Enforcement of

Ante, p. 313.

Review pending cases.

Securing

Unit.

Enforcement of twenty-first amendment to Constitution.

Vol. 47, p. 1625.

Other designated acts.

other designated acts.

other designated acts.

act of 1934", approved January 11, 1934; the Act of August 8, 1890 (U.S.C., Supp. VI, title 27, sec. 123); section 238 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 18, sec. 389); section 240 of the Criminal Code (U.S.C., title 27, sec. 121); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Criminal Code (U.S.C., title 28, sec. 389); section 240 of the Cr of and administer the twenty-first amendment to the Constitution and title 18, sec. 390); applicable provisions of the "Liquor Taxing Act of 1934", approved January 11, 1934; existing applicable provisions of the National Prohibition Act, as amended and supplemented (U.S.C., title 27), and internal revenue laws, pursuant to the Act of March 3, 1927 (U.S.C., Supp. VI, title 5, secs. 281-281e), and the Act of May 27, 1930 (U.S.C., Supp. VI, title 27, secs. 144-192); of certain the review of all pending cases growing out of violations prior to December 5, 1934, of the National Prohibition Act, as amended and supplemented, and/or the internal revenue laws relating to alcoholic beverages for the determination of the civil liability due the Government and proper expense of litigation in cases now pending and which may hereafter be constituted, for the purpose of recovering Employment of per- such civil liabilities; for the employment of executive officers, attorneys, investigators, and other personnel, in the District of Columbia evidence, and elsewhere, to be appointed as authorized by law; the securing of evidence of violations of the Acts; the cost of chemical analysis made by other than employees of the United States and expenses incident to the giving of testimony in relation thereto; costs incurred in the seizure, storage, and disposition of liquor and property seized by virtue of the laws applicable to said seizure; costs incurred in the seizure, storage, and disposition of any vehicle and team or automobile, boat, air or water craft, or any other conveyance, seized pursuant to existing laws applicable to such seizures, where the proceeds of sale are insufficient therefor or where there is no sale; for rental of quarters; the purchase of stationery, supplies, equipment, mechanical devices, newspapers, periodicals, books, including law books and books of reference, and such other expenditures as may be necessary in the District of Columbia and the several field offices; in all, \$225,000.

DIVISION OF ACCOUNTS

Division of Accounts

Salaries: For personal services and expenses of the Division of Accounts in the District of Columbia, \$112,000, to be expended under the direction of the Attorney General.

Salaries.

ENFORCEMENT OF ANTITRUST AND KINDRED LAWS

Antitrust laws, en-

Enforcement of antitrust and kindred laws: For the enforcement of antitrust and kindred laws, including experts at such rates of compensation as may be authorized or approved by the Attorney General, including not to exceed \$55,080 for personal services in the District of Columbia, \$289,700.

Expenses.

BUREAU OF PRISONS

Bureau of Prisons.

Salaries and expenses: For salaries and expenses in connection salaries with the supervision of the maintenance and care of United States prisoners, including not to exceed \$168,300 for personal services in the District of Columbia and elsewhere, traveling expenses, and expenses of attendance at meetings concerned with the work of such bureau when authorized by the Attorney General; \$197,300.

Salaries and

VETERANS' INSURANCE LITIGATION

Veterans' insurance litigation.

Salaries and Expenses: For salaries and expenses incident to the penses. and exdefense of suits against the United States under section 19, of the U.S.C., p. 1218. World War Veterans' Act, 1924, approved June 7, 1924, as amended, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including traveling and office expenses, supplies, equipment, stenographic reporting services by contract or otherwise, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, \$800,000.

Salaries and

Ante, p. 302.

JUDICIAL

Judicial.

UNITED STATES SUPREME COURT

United States Su-preme Court.

Salaries: For the Chief Justice and eight Associate Justices; Salaries, Chief Justices Salaries Salaries Chief Justices Salaries Sal reporter of the court; and all other officers and employees, whose ties. compensation shall be fixed by the court, except as otherwise provided officers and employees. by law, and who may be employed and assigned by the Chief Justice to any office or work of the court, including an additional assistant to the reporter of the court, if the court deems one necessary, to enable the reporter to expedite the publication of its reports; \$282,000.

Printing and binding: For printing and binding for the Supreme Court of the United States, \$21,000, to be expended as required without allotment by quarters, and to be executed by such printer as the court may designate.

Printing and binding.

Miscellaneous expenses: For miscellaneous expenses of the Supreme penses. Court of the United States, including rent of office for the reporter in Washington, to be expended as the Chief Justice may direct, \$15,000.

SALARIES OF JUDGES

Judges.

Salaries of judges: For forty-one circuit judges; one hundred and fifty-two district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska,

Salaries of.

Availability.

Retired. Vol. 40, p. 1157; and one in the Virgin Islands); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$2,220,000: Provided, That this appropriation shall be available for the salaries of all United States justices and circuit be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto, whether active or retired.

EXPENSES OF JUDGES

Expenses of judges.

Expenses of judges: For expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Puerto Rico, and Hawaii, as provided by law, \$95,000.

Court of Customs and Patent Appeals.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries.

Salaries: Presiding judge and four associate judges and all other

officers and employees of the court, \$90,040. Contingent expenses.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, \$4,000.

Printing and binding.

Printing and binding: For printing and binding, \$5,000.

Customs Court.

UNITED STATES CUSTOMS COURT

Salaries.

Salaries: Presiding judge and eight judges; and all other officers

and employees of the court, \$205,560.

Contingent expenses.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$15,700.

Printing and binding.

Printing and binding: For printing and binding, \$2,000.

Court of Claims.

COURT OF CLAIMS

Salaries.

Salaries: Chief justice and four judges; chief clerk at not exceeding \$6,500; auditor at not exceeding \$5,000; and all other officers and employees of the court, \$109,940.

Printing and binding. Contingent expenses.

Printing and binding: For printing and binding, \$25,000.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, electric elevator, and other miscellaneous expenses,

\$6,000.

Commissioners, salaries and expenses

Vol. 43, p. U.S.C., p. 899.

Salaries and expenses of commissioners: For salaries of five commissioners at \$7,500 each, and for travel expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (U.S.C., title 28, secs. 269, 270), entitled (An Act to authorize the approximation) and for of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930 (U.S.C., Supp. VI, title 28, sec. 270), \$51,130.

Repair, etc., of build-ings.

Vol. 46, p. 799; U.S.C., Supp. VII, p. 731.

Repairs, furnishings, and so forth: For necessary repairs, furnishings, and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$14,000.

Territorial Hawaii. Courts

TERRITORIAL COURTS

Salaries.

HAWAII: For salaries of the chief justice and two associate justices, and for judges of the circuit courts, \$79,650.

DISTRICT COURT, PANAMA CANAL ZONE

District Court, Pan-ama Canal Zone.

Salaries.

Salaries, District Court, Panama Canal Zone: For salaries of the officials and employees of the District Court of the United States for the Panama Canal Zone, \$41,205.

UNITED STATES COURT FOR CHINA

United States Court for China: For salaries of the judge, district attorney, and other officers and employees of the United States Court

families and effects, in going to and returning from their posts;

United States Court for China.

Salaries.

for China; court expenses, including reference and law books, ice and drinking water for office purposes, not exceeding \$1,080 for allowances for living quarters, including fuel, heat, and light, and not to exceed \$1,700 for any one person, as provided by the Act approved June 26, 1930 (U.S.C. Supp. VI, title 5, sec. 118a); traveling expenses of officers and employees of the court, and under such regulations as the Attorney General may prescribe of their

preparation and transportation of remains of officers and employees mains of officers dying who may die abroad or in transit while in the discharge of abroad their official duties, to their former homes in the United States, or to a place not more distant for interment and for the ordinary of the ordi

nary expenses of such interment; the expense of maintaining in victs; persons declared China, American convicts and persons declared insane by the court. insane.

insane by the court, \$42,440. MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED United States STATES COURTS

rent of quarters for prisoners, ice and drinking water for prison purposes, including wages of prison keepers, and the expense of keeping, feeding, and transporting prisoners and persons declared

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals and their deputies, including penses. services rendered in behalf of the United States or otherwise, services in Alaska in collecting evidence for the United States when so specially directed by the Attorney General, traveling expenses, and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals, \$2,971,730.

Marshals. Salaries Services in Alaska.

Salaries and expenses of district attorneys, and so forth: For Salaries, traveling, and other expenses of United States district penses. attorneys and their regular assistants, clerks, and other employees. including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, \$2,344,580.

Salaries and expenses of special attorneys, and so forth: For compensation and traveling expenses of special attorneys and penses assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$600,000, of which \$50,000 shall be immediately available: Provided, That the amount paid as compensation out of the funds herein appropriated to any person employed tation. Reports to Congress. Reports to Congress. be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties.

Special attorneys. Salaries and ex-Assistants

Foreign counsel

Promsos Compensation limiClerks of courts. Salaries and

Vol. 44, p. 688. U.S.C., Supp. VII, p. 53.

Fees for commission-

Conciliation missioners. Fees; per diem al-lewance, etc.

Vol. 30, p. 544; Vol. 47, p. 1467. U.S.C., p. 243; Supp. VII, p. 135.

Ante, p. 98.

Jurors and witnesses per diem.
R.S., sec. 850, p. 160.
U.S.C., p. 927.

R.S., sec. 846, p. 159 U.S.C., p. 924. Provisos Pay, etc., on approval of Attorney General.

Attendance fee.

Rent.

Bailiffs. Salaries and penses Jury expenses.

Alaska.

Vol. 31, p. 639. U.S.C., pp. 864, 921,

Jury commissioners. Provisos. Service restriction.

Limitation of expenditure.

Miscellaneous

Alaska.

Salaries and expenses, clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, travel expenses pursuant to the Subsistence Expense Act of 1926, as amended (U.S.C., Supp. VI, title 5, secs. 821-833), and other expenses of conducting their respective offices, \$1,797,000.

Fees of commissioners: For fees of the United States commisess. R.S., sec. 1014, p. 189. sioners and other committing magistrates, acting under section 1014, Revised Statutes (U.S.C., title 18, sec. 591), \$400,000.

Revised Statutes (U.S.C., title 18, sec. 591), \$400,000.

Conciliation Commissioners, United States Courts: For fees of conciliation commissioners, and per diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, the unexpended balance of the amount made available for this purpose in the Third Deficiency Act, fiscal year 1933, is continued available until June 30, 1935.

Fees of jurors and witnesses: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the expenses of witnesses, as provided by section 850, Revised Statutes (U.S.C., title 28, sec. 604). including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (U.S.C., title 28, sec. 577), \$2,230,000: Provided, That not to exceed \$10,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: Provided further, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

Rent: For rent of rooms for the United States courts and judicial

officers, \$55,000.

Salaries and expenses of bailiffs, and so forth: For bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (U.S.C., title 28, secs. 9, 557-570, 595, 596), and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$235,000: Provided, That no per diem shall be paid to any bailiff unless the court is actually in session and the judge present and presiding or present in chambers: Provided further, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.

Miscellaneous expenses: For such miscellaneous expenses as may be authorized or approved by the Attorney General, for the United States courts and their officers, including experts at such rates of compensation as may be authorized or approved by the Attorney General, including also so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska

and in courts other than Federal courts, and including traveling expenses pursuant to the Subsistence Expense Act of 1926, as amended (U.S.C., Supp. VI, title 5, ch. 16), \$827,460: Provided, p. That the maximum salary paid to any stenographer or law clerk to clerk, maximum salary, any circuit judge shall not exceed \$2,400 per annum.

Supplies: For supplies, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor, to be expended under

direction of the Attorney General, \$80,000.

Law books: For the purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, for the purchase of the Federal Reporter Federal Reporter. and continuations thereto as issued, to be expended under the direction of the Attorney General, \$75,000: Provided, That such books shall in all cases be transmitted to their successors in office; all cessors. books purchased thereunder to be marked plainly, "The property of the United States": Provided further, That not to exceed \$2 per States volume shall be paid for the current and future volumes of the tated. United States Code, Annotated.

PENAL AND CORRECTIONAL INSTITUTIONS

For all services, including personal services compensated upon etc. Services, fee basis, supplies, materials, and equipment in connection with or incident to the subsistence and care of inmates and maintenance and upkeep of Federal penal and correctional institutions, including farm and other operations not otherwise specifically provided for in the discretion of the Attorney General; gratuities for inmates at release, provided such gratuities shall be furnished to inmates sen-tenced for terms of imprisonment of not less than six months, and transportation to the place of conviction or bona fide residence at the time of conviction or to such other place within the United States as may be authorized by the Attorney General; expenses of interment or transporting remains of deceased inmates to their homes in the United States; maintenance and repair of passengercarrying vehicles; traveling expenses of institution officials and employees when traveling on official duty, including expenses of attendance at meetings concerned with the work of the several institutions when authorized by the Attorney General, and including expenses incurred in pursuing and identifying escaped inmates; traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; rewards for the capture of escaped inmates; newspapers, books, and periodicals; firearms and ammunition; tobacco for inmates; and the purchase and exchange of farm products and livestock, when authorized by the Attorney General: Provided, That any part of the appropriations under this heading used for payment of salaries of personnel employed in the operation of prison commissaries shall be reimbursed from commissary earnings, and such reimbursement shall be in addition to the amounts appropriated herein.

Prison industries working capital fund: Prison industries working capital fund, 1934 and prior years, is reappropriated and made available for the fiscal year 1935, including payment of obligations incurred in prior years; and the said working capital fund and all revolving fund. receipts credited thereto may be used as a revolving fund for the fiscal year 1935, for the purposes authorized by the Act entitled "An Vol. 46, p. 391. VII, Act to provide for the diversification of employment of Federal p. 357. prisoners for their training and schooling in trades and occupations, and for other purposes", approved May 27, 1930 (U.S.C., Supp. VI,

Travel expenses. Vol. 44, p. 688. U.S.C., Supp. VII,

Supplies.

Provisos.
Transmittal to suc-

Price limit, United

Penal and co correcsupplies.

Proviso.
Prison commissaries.

Prison industries working capital fund. Reappropriation. Vol. 47, p. 1385.

forbidden.

Provise.
Use for manufacture of metal furniture, etc., priation shall be used for the procurement and/or installation in any priation shall be used for the procurement and/or installation in any Federal correctional or penal institution of machinery for the manufacture of metal furniture and/or metal office equipment.

MEDICAL AND HOSPITAL SERVICE

Medical and hospital

Medical and hospital service: For medical relief for, and incident to the care and maintenance of, inmates of penal and correctional institutions, including personal services in the District of Columbia and elsewhere, medical, surgical, and hospital supplies, materials, equipment, and appliances, together with appliances necessary for patients, \$418,478, which amount, in the discretion of the Attorney General, may be transferred to the Public Health Service for direct expenditure under the laws, appropriations, and regulations governing the Public Health Service: Provided, That of this appropriation not to exceed \$105,000 may be expended for the hospital for defective delinquents.

Propiso Hospital for defective delinquents.

Federal penitentiaries. Leavenworth, Kans.

United States penitentiary, Leavenworth, Kansas: For the United States penitentiary at Leavenworth, Kansas, including not to exceed \$547,740 for salaries and wages of all officers and employees, and not to exceed \$940 for purchase of motor-propelled passenger-carrying vehicles, \$1,146,000.

Atlanta, Ga.

United States penitentiary, Atlanta, Georgia: For the United States penitentiary at Atlanta, Georgia, including not to exceed \$310,980 for salaries and wages of all officers and employees, and not to exceed \$940 for purchase of motor-propelled passenger-carrying vehicles, \$626,000.

McNeil Island, Wash.

United States penitentiary, McNeil Island, Washington: For the United States penitentiary at McNeil Island, Washington, including not to exceed \$173,190 for salaries and wages of all officers and employees, \$338,000.

Construction and re-

Construction and repair: For construction and repair of buildings, including the purchase and installation of machinery and equipment, and all expenses incident thereto, and for completion of water system, to be expended so as to give the maximum amount of employment to inmates of the institution, \$60,800.

Northeastern peni-

United States Northeastern Penitentiary: For the United States penitentiary in the Northeast, including not to exceed \$271,830 for salaries and wages of all officers and employees, and not to exceed \$940 for purchase of motor-propelled passenger-carrying vehicles,

Alcatraz Island, Calif.

United States Penitentiary, Alcatraz Island, California: For the United States penitentiary at Alcatraz Island, California, including not to exceed \$103,450 for salaries and wages of all officers and employees and not to exceed \$750 for the purchase of a motorpropelled passenger-carrying vehicle, \$231,475, together with not to exceed \$15,000 of the unexpended balance of the appropriation "United States Northeastern Penitentiary", fiscal year 1934.

Unexpended balance available. Vol. 47, p. 1386.

Federal Industrial Institution for Women, Alderson, West Virginia: For the Federal Industrial Institution for Women at Alderson, West Virginia, including not to exceed \$111,420 for salaries and

Federal Industrial Institution for Women, Alderson, W Va.

wages of all officers and employees, \$226,000.
United States Industrial Reformatory, Chillicothe, Ohio: For the United States Industrial Reformatory at Chillicothe, Ohio, including not to exceed \$247,850 for salaries and wages of all officers and employees and not to exceed \$1,690 for the purchase of motorpropelled passenger-carrying vehicles, \$453,000.

Industrial Reformatory, Chillicothe, Ohio.

United States Southwestern Reformatory: For the United States Southwestern Reformatory Southwestern Reformatory, including not to exceed \$131,260 for salaries and wages of all officers and employees, and not to exceed \$940 for purchase of motor-propelled passenger-carrying vehicles,

United States Hospital for Defective Delinquents: For the United Hospital for defective delinquents. States Hospital for Defective Delinquents, including not to exceed \$108,110 for salaries and wages of all officers and employees, and not to exceed \$940 for purchase of motor-propelled passenger-carrying vehicles, \$254,000.

Federal jails: For maintenance and operation of Federal jails, including not to exceed \$260.620 for salaries and wages of all officers

and employees, \$435,000.

Prison camps: For the construction and repair of buildings at prison camps, the purchase and installation of machinery and equipment, and all necessary expenses incident thereto, and for the maintenance of United States prisoners at prison camps, including the maintenance, alteration, repair, and operation of a motor-propelled passenger-carrying bus, to be expended so as to give the maximum amount of employment to prisoners, \$231,500: Provided, That reimbursements from this appropriation made to the War or other thorized. or invoice price notwithstanding the provisions of any other Act.

Federal Correctional Camp, Eustis, Virginia: For the Federal Correctional Camp at Eustis, Virginia, including not to exceed \$103,705 for salaries and wages of all officers and employees, \$175,000.

Federal Reformatory Camp, Petersburg, Virginia: For the Federal Reformatory Camp at Petersburg, Virginia, including not to exceed \$92,530 for salaries and wages of all officers and employees, \$158,000.

National Training School for Boys, Washington, District of School for Boys, D.C. Columbia: For the National Training School for Boys, Washington, District of Columbia, including expenses of a suitable attendant to accompany the remains of deceased inmates to their homes for burial and including not to exceed \$90.000 for salaries and wages of all

officers and employees, \$185,000. Probation system, United States courts: For salaries and expenses probation officers, as authorized by the Act entitled "An Act to nend the Act of March 4, 1925, chapter 521, and for other purblesses", approved June 6, 1930 (U.S.C., Supp. VI, title 18, sec. 726), VII, p. 356. of probation officers, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (U.S.C., Supp. VI, title 18, sec. 726). \$454,160: *Provided*, That not to exceed \$98,000 of this appropriation may be expended for traveling expenses: Provided further, That no part of the appropriation herein made shall be used to pay any probation officer a salary in excess of \$2,600 per annum: Provided further, That no part of any appropriation in this Act shall be used to defray the salary or expenses of any probation officer who does not comply with the official orders, regulations, and probation standards promulgated by the Attorney General.

Support of prisoners: For support of United States prisoners, in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 U.S.c and 5 of the Act of May 14, 1930 (U.S.C., Supp. VI, title 18, sec. p. 354. 696); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no friends to whom they can be sent; shipping remains of deceased

Southwestern

Federal jails

Prison camps. Construction, etc.

Federal Correctional Camp, Eustis, Va

Federal Reformatory Camp, Petersburg, Va.

Provisos. Travel expenses. Salary restriction.

Conditions imposed.

Support of prisoners.

Vol. 46, p. 326. U.S.C., Supp. VII,

prisoners to their friends or relatives in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, \$1,400,000: Provided, That a report be submitted to Congress on the 1st day of the next regular session showing the names of the persons employed hereunder, the annual rate of compensation paid to each together with a description of their duties

Proviso. Report to Congress.

together with a description of their duties.

This title may be cited as the "Department of Justice Appropriation Act, 1935."

Department of Commerce.

Short title.

Salaries.

TITLE III—DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY

Office of the Secretary.

Salaries: Secretary of Commerce, two Assistant Secretaries, and other personal services in the District of Columbia, including the chief clerk and superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries, of

Contingent and miscellaneous expenses.

the Department, \$326,000. Contingent expenses: For contingent and miscellaneous expenses of the Offices and bureaus of the Department, except the Patent Office, including those for which appropriations for contingent and miscellaneous expenses are specifically made, including professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding \$2,800); purchase of atlases or maps; stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motor trucks and bicycles; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles (one for the Secretary of Commerce and two for the general use of the Department), and motor trucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; first-aid outfits for use in the buildings occupied by employees of this Department; street-car fares, not exceeding \$600; and all other miscellaneous items and necessary expenses not included in the foregoing, \$121,000, which sum shall constitute the appropriation for contingent expenses of the Department, except the Patent Office, and shall also be available for the purchase of necessary supplies and equipment for field services of bureaus and offices of the Department for which contingent and miscellaneous appropriations are specifically made in order to facilitate the purchase through the central purchasing office (Division of Purchases and Sales), as provided by law.

Printing and binding.

Printing and binding: For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office, \$350,410: Provided, That an amount not to exceed \$2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy

editors.

FEDERAL EMPLOYMENT STABILIZATION BOARD

Salaries and expenses: To enable the Secretary of Commerce to carry out the provisions of the Employment Stabilization Act of 1931, approved February 10, 1931 (U.S.C., Supp. VI, title 29, secs. 48-48g), including personal services in the District of Columbia p. 747. and elsewhere, traveling expenses, purchases of equipment, furniture, stationery and office supplies, printing and binding, repairs to equipment, law books, books of reference, and other necessary publications, and to procure by contract or otherwise any information or data concerning construction which may be considered pertinent, and all other incidental expenses not included in the foregoing, \$40,000, of which amount not to exceed \$35,000 may be expended for personal services in the District of Columbia.

AIRCRAFT IN COMMERCE

Aircraft in commerce: To carry out the provisions of the Act point approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes" (U.S.C., title U.S.C., title U.S.C., but the Act approved February 28, Supp. VII, p. 1021. 49, secs. 171-184), as amended by the Act approved February 28, 1929 (U.S.C., Supp. VI, title 49, sec. 173d), including personal services in the District of Columbia (not to exceed \$192,000), and elsewhere; rent in the District of Columbia and elsewhere; traveling expenses; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding, and computing machines, accessories and repairs; purchase, including exchange (not to exceed \$2,000), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and replacement, including exchange, of airplanes (not to exceed \$16,500); purchase of airplane motors, airplane and motor accessories and spare parts; maintenance, operation, and repair of airplanes and airplane motors; purchase of special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and all other publications; and all other necessary expenses not included in the foregoing; in all \$644,000: Provided, That none of the money appropriated in this Act shall be used for the purchase of any airplane ordered after the approval of this Act which is equipped or propelled by a Liberty motor or by any motor or airplane engine purchased or

constructed prior to July 1, 1920.

Air-navigation facilities: For the establishment and maintenance ties.

Air-navigation facilities: For the establishment and maintenance of aids to air navigation, including the equipment of additional air of aids, mail routes, mail routes for day and night flying; the construction of necessary etc. lighting, radio, and other signaling and communicating structures and apparatus; repairs, alterations, and all expenses of maintenance and operation; investigation, research, and experimentation to develop and improve aids to air navigation; for personal services in the Disin the District of Columbia (not to exceed \$111,700) and elsewhere; purchase, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including their exchange; replacement, including exchange, of not to exceed two airplanes, maintenance, operation, and repair of airplanes, including accessories and spare parts and special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, \$4,561,250: Provided, That no part of this appropriation shall be used for any

purpose not authorized by the Air Commerce Act of 1926.

Federal Employ-ment Stabilization Board. Salaries penses.

Vol. 46, p. 1084. U.S.C., Supp. VII,

Aircraft in merce. com-

Purchase planes, accessories, etc.

Liberty, etc., motors.

Proviso. Use restricted. Vol. 44, p 568.

Attendance at meet-

Appropriations herein made for aircraft in commerce and air navigation facilities shall be available for expenses of attendance at meetings concerned with the promotion of civil aeronautics, and also expenses of illustrating the work of the Aeronautics Branch by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Bureau of Foreign and Domestic Com-merce. Salaries.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Salaries: For the director and other personal services in the District of Columbia, \$286,600.

Foreign Commerce Foreign Commerce Service. Vol. 44, p 1394 U.S.C., Supp. VII, p. 258. Personal services

For carrying out the provisions of the Act approved March 3, 1927 (U.S.C., Supp. VI, title 15, secs. 197-197f), to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at the rate of not to exceed \$3,000 per annum for each person so employed, rent outside the District of Columbia, telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers (foreign and domestic, not exceeding \$4,000), and all other publications, traveling expenses of officers and employees, ice and drinking water for office purposes, and all other incidental expenses not included in the foregoing, to be expended under the direction of

Rent.

the Secretary of Commerce, and under the following heads:
Promoting commerce in Europe and other areas: Investigations in Europe and other areas for the promotion and development of the foreign commerce of the United States, \$309,800;

Promoting commerce in Europe

> Promoting commerce in Latin America: Investigations in Latin America for the promotion and development of the foreign com-

In Latin America.

merce of the United States, \$128,500 Promoting commerce in the Far East: Investigations in the Far East for the promotion and development of the foreign commerce of the United States, \$81,740;

In the Far East.

Promoting commerce in Africa: Investigations in Africa for the

District and cooperative office service: For all expenses necessary

promotion and development of the foreign commerce of the United

In Africa.

States, \$26,970;

1, 1932;

District and coopera-tive office service.

to operate and maintain district and cooperative offices, including personal services, rent outside of the District of Columbia, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of maps, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, not exceeding \$1,200 for newspapers, both foreign and domestic, and all other publications necessary for the promotion of the commercial interests of the United States, and all other incidental expenses not included in the foregoing, \$280,217: Provided, That the Secretary of Commerce shall require as a condition for the opening of a new office or the continuation of an existing office, except in cases where space is available in Federal buildings or in Federal buildings for the construction of which contracts have been let, that commercial organizations in the district affected provide suitable quarters without cost to the Government on and after September

Proviso. New offices.

Enforcement of China Trade Act: To carry out the provisions of the Act entitled "China Trade Act, 1922" (U.S.C., title 15, secs. penses of officers to the Act entitled personal services, traveling expenses of officers to the Act entitled personal services, traveling expenses of officers to the Act entitled personal services, traveling expenses of officers to the Act entitled provisions of the Enforcement expenses and expenses of officers and equipment, stationery and U.S.C., p. 367. and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding and computing machines, accessories and repairs, purchase of books of reference and periodicals, reports, documents, plans, specifications, maps, manuscripts, and all other publications, rent outside the District of Columbia, ice and drinking water for office purposes; and all necessary expenses not included in the foregoing, \$8,130, of which amount not to exceed \$2,880 may be expended for personal services in the District of Columbia: Provided, That payment in advance for telephone and other similar services

under this appropriation is hereby authorized;

Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, insofar as they relate to the important export industries.

Export industries. Investigations and property industries. Investigations and problems are industries. United States, including personal services, traveling expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, ice and drinking water for office purposes, and all other incidental expenses connected therewith, \$475,000, of which amount not to exceed \$468,470 may be

expended for personal services in the District of Columbia;

Domestic commerce and raw materials investigations: For all expenses, including personal services, purchase of books of reference and periodicals, furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, medical supplies and first-aid outfits, reports, documents, plans, specifications, manuscripts, maps, and all other publications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and etc. handling of raw materials and manufactures within the United States; and to investigate the conditions of production and market- Foreign raw materials, ing of foreign raw materials essential for American industries, \$185,000, of which amount not to exceed \$170,000 may be expended for personal services in the District of Columbia;

Customs statistics: For all expenses necessary for the operation of the section of customs statistics transferred to the Department of ing, etc. Commerce from the Treasury Department by the Act approved January 5, 1923 (U.S.C., title 15, sec. 194), including personal services; rent of or purchase of tabulating, punching, sorting, and other mechanical labor-saving machinery or devices, including adding, typewriting, billing, computing, mimeographing, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair; telegraph and telephone service; traveling expenses of officers and employees while traveling on official business; freight, express, drayage; tabulating cards, stationery, and miscellaneous office supplies; books of reference and periodicals; furniture and equipment; ice, water, heat, light, and power; street-car fare; and all other necessary and incidental expenses not included in the foregoing, \$246,457, of which amount not to exceed \$52,345 may be expended for personal services in the District of Columbia;

roviso. Advance payments.

Domestic commerce and raw materials.

Customs statistics Vol. 42, p. 1109. U.S.C., p. 373.

Lists of foreign buy-

List of foreign buyers: For all necessary expenses, including per-Expenses of compil- sonal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, lists of foreign buyers, books of reference, periodicals, reports, documents, plans, specifications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile lists of foreign buyers, \$31,572, of which amount not to exceed \$30,850 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of Commerce may make such charges as he deems reasonable for lists of foreign buyers, special statistical services, special commodity news bulletins, and World Trade Directory Reports, and the amounts collected therefrom shall be deposited in the Treasury as "Miscellaneous receipts":

Proviso. Charge for service authorized.

Foreign trade restrictions Investigation penses.

ex expenses, including personal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, traveling expenses of officers and employees, and all other incidental expenses not included in the foregoing, to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the restrictions and regulations of trade imposed by foreign countries, \$33,171, of which amount not to exceed \$32,660 may be expended for personal services in the District of Columbia.

Investigation of foreign trade restrictions: For all necessary

Transportation of families and effects of officers, employees.

Transportation of families and effects of officers and employees: To pay the traveling expenses and expenses of transportation, under such regulations as the Secretary of Commerce may prescribe, of families and effects of officers and employees of the Bureau of Foreign and Domestic Commerce in going to and returning from their posts, or when traveling under the order of the Secretary of Comre- merce, and also for defraying the expenses of preparing and trans-porting the remains of officers and employees of the Bureau of Foreign and Domestic Commerce who may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country, or to a place not more distant, for interment, and for the ordinary expenses of such interment, \$35,000;

Bringing home remains of officer, etc., dying abroad.

Allowance for living uarters, heat, and quarters, light.

n. 259.

Provise. Maximum ance.

Attendance at meet-

To enable the Secretary of Commerce, under such regulations as quarters, heat, and he may prescribe, in accordance with the provisions of the Act Vol. 44, p. 1396; Vol. entitled "An Act to amend the Act entitled 'An Act to establish in U.S.C., supp. VII, the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States. and for other purposes, approved March 3, 1927, approved April 12, 1930 (U.S.C., Supp. VI, title 15, sec. 197f), to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this appropriation, allowances for R.S., sec. 1765, p. 314. living quarters, heat and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U.S.C., title 5, sec. 70), \$36,000: Provided, That the maximum allowance to any officer shall not exceed \$1,700;

Appropriations herein made for the Bureau of Foreign and Domestic Commerce shall be available for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce;

The purchase of supplies and equipment or the procurement of Minor purchases in foreign countries. services for the Bureau of Foreign and Domestic Commerce, in foreign countries, may be made in open market without compliance with section 3709 of the Revised Statutes of the United States (U.S.C., title 41, sec. 5), in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed \$100 in any instance;

Total, Bureau of Foreign and Domestic Commerce, \$2,164,157.

BUREAU OF THE CENSUS

For expenses for securing information for and compiling the penses census reports provided for by law, including personal services in the District of Columbia and elsewhere; compensation and expenses of enumerators, special agents, supervisors, supervisors' clerks, and interpreters in the District of Columbia and elsewhere; traveling expenses; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside the District of Columbia; not to exceed \$5,000 for the employment by contract of personal services for the preparation of monographs on census subjects; not to exceed \$52,000 for constructing tabulating machines and repairs to such machinery and other mechanical appliances, including technical, mechanical, and other personal services in connection therewith in the District of Columbia and elsewhere, and the purchase of necessary machinery and supplies; and not to exceed \$2,000 for expenses of attendance at meetings concerned with the collection of statistics when incurred on the written authority of the Secretary of Commerce; \$1,593,500, of which amount not to exceed \$1,223,870 may be expended for personal services in the District of Columbia, including not to exceed \$51,000 for temporary employees who may es be appointed by the Director of the Census under civil-service rules, at per diem rates to be fixed by him without regard to the provisions vII., p. 34. D. 65; Supp. of the Classification Act of 1923, as amended, for the purpose of

assisting in periodical inquiries.

Census of agriculture: For salaries and necessary expenses for ture preparing for taking, compiling, and publishing the census of agrisalarles and exculture of the United States for 1935 as provided by law (U.S.C., vol. 46, p. 25.

Supp. VI, title 13, p. 216), including rent for quarters in and outside p. U.S.C., Supp. vII,

the District of Columbia: calculate a provided by District of Columbia: calculate a the District of Columbia; salaries of employees in the District of Columbia and elsewhere, including temporary employees in the District of Columbia who may be appointed by the Director of the Census under civil-service rules for any period not extending beyond December 31, 1936, at rates of pay to be fixed by the Director of the Census without regard to the provisions of the Classification Act as wil, p. 34. amended: *Provided*, That such temporary employees in the District of Columbia may be allowed leave of absence with pay at the rate es, leaves of absence. Personal services. of one and one fourth days per month; for the employment by contract of personal services for the preparation of monographs in connection with the census of agriculture; for the compensation of supervisors, supervisors' clerks, special agents, enumerators, and interpreters, and for the necessary traveling expenses of such field employees and of detailed employees of the Bureau; the purchase of supplies and equipment, including books of reference, periodicals, maps, manuscripts, street-car fares, punch cards, and materials; the purchase, rental, repair, and exchange of typewriters, calculating machines, punching, tabulating, and sorting machines, and other

R.S., sec. 3709, p. 733. U.S.C., p. 1309.

Census Bureau

Services and AX-

Temporary employ-

Census of agricul-

office appliances; the construction of punching, tabulating, and sorting machines, including technical, mechanical, and other services in connection therewith, whether in the District of Columbia or elsewhere; purchase and exchange of motor trucks, first-aid outfits, and all other miscellaneous items and necessary expenses not included in the foregoing; printing and binding at the Government Printing Office, \$2,270,000, to continue available until December 31, 1936.

Bureau of Naviga-tion and Steamboat Inspection.

BUREAU OF NAVIGATION AND STEAMBOAT INSPECTION

Departmental sala-ries.

Departmental salaries: For the director and other personal services in the District of Columbia, \$96,057.

Salaries and

Salaries and general expenses: For salaries of shipping commissioners and employees in their offices; salaries for steamboat inspection as authorized by law, including clerks to boards of steamboat inspectors; to enable the Secretary of Commerce to provide and operate such motor boats and employ such persons (including tem-Enforcement of inspection, etc., laws. porary employees) as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, counting of passengers on excursion boats, and to prevent overcrowding of passenger and excursion boats; to enable Load lines for American vessels.

Vol. 45, p. 1492.

U.S.C., Supp. VII, for other nurposes "approved March 2, 1929 (U.S.C. Supp. VII. for other purposes", approved March 2, 1929 (U.S.C., Supp. VI, title 46, secs. 85-85g), and to secure uniformity in the admeasurement of vessels, including personal services; fees to witnesses; traveling expenses of the personnel of the bureau and field offices; materials, supplies, equipment, and services, including rent and janitor service; purchase, exchange, and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services

p. 953.

R.S., sec. 3709, p. 733, U.S.C., p. 1309. Bureau of Standards.

BUREAU OF STANDARDS

without reference to section 3709 of the Revised Statutes (U.S.C.,

Salaries.

Salaries: For the director and other personal services in the Dis-

trict of Columbia, \$589,090.

title 41, sec. 5); \$1,241,695.

Equipment.

Equipment: For apparatus, machinery, tools, and appliances used in connection with buildings or work of the bureau, typewriters, adding machines, and other labor-saving devices, laboratory supplies, materials, and supplies used in the construction of apparatus, machinery, or other appliances, including their exchange; piping, wiring, and construction incident to the installation of apparatus, machinery, or appliances; furniture for laboratories and offices, cases for apparatus, \$50,000, including \$17,000 for repairs and necessary

alterations to buildings.

General expenses.

General expenses: For fuel for heat, light, and power; office expenses, stationery, cleaning and toilet supplies, books and periodicals, which may be exchanged when not needed for permanent use; traveling expenses; street-car fares not exceeding \$100; expenses of the visiting committee; expenses of attendance of American member at the meeting of the International Committee of Weights and Measures; purchase of gloves, goggles, rubber boots, and aprons; supplies for operation, maintenance, and repair of motor trucks and a passenger automobile for official use, including their exchange; and contingencies of all kinds, \$44,000.

Attendance at meeting of International Committee of Weights and Measures.

Improvement and care of grounds: For grading, construction of Improvement, etc., add and walks piping grounds for water supply learns within of grounds. roads and walks, piping grounds for water supply, lamps, wiring for lighting purposes, and other expenses incident to the improvement and care of grounds, including foreman and laborers in the

District of Columbia, \$6,827.

Testing structural materials: For continuation of the investigation testing. of structural materials, such as stone, clays, cement, and so forth, including personal services in the District of Columbia and in the field, \$126,414: Provided, That as much of this sum as necessary shall be used to collect and disseminate such scientific, practical, and approved statistical information as may be procured, showing or tending to methods, etc. show approved methods in building, planning and construction, standardization, and adaptability of structural units, including building materials and codes, economy in the manufacture and utilization of building materials and supplies, and such other matters as may tend to encourage, improve, and cheapen construction and housing.

Testing machines: For maintenance and operation of testing machines, including personal service in connection therewith in the District of Columbia and in the field, for the determination by the Bureau of Standards of the physical constants and the properties of

materials as authorized by law, \$26,623.

Investigation of fire-resisting properties: For investigation of fire-resisting properties resisting properties of building materials and conditions under building materials which they may be most efficiently used, and for the standardization of types of appliances for fire prevention, including personal services

in the District of Columbia and in the field, \$15,318.

Investigation of public-utility standards: For investigation of the standards of practice and methods of measurements of public utilities, such as gas, electric light, electric power, water, telephone, central station heating, and electric-railway service, and the solution of the problems which arise in connection with standards in such service, including personal services in the District of Columbia and in the field, \$46,192.

Testing miscellaneous materials: For testing miscellaneous materials, such as varnish materials, soap materials, inks, and chemicals, ous materials. including supplies for the Government departments and independent establishments, including personal services in the District of Columbia and in the field, as authorized by law, \$24,180.

Radio research: For investigation and standardization of methods and instruments employed in radio communication, including per-

sonal services in the District of Columbia and in the field, \$43,836.

Color standardization: To develop color standards and methods ton of manufacture and of color measurements, with special reference to their industrial use in standardization and specification of colorants, such as dyestuffs, inks, and pigments, and other products, paint, paper, and textiles, in which color is a pertinent property, including personal services in the District of Columbia and in the field, \$7,286.

Investigation of clay products: To study methods of measurement and technical processes used in the manufacture of pottery, brick, tile, terra cotta, and other clay products, and the study of the properties of the materials used in that industry, including personal services in the District of Columbia and in the field, \$24,112.

Standardizing mechanical appliances: To develop methods of testing and standardizing machines, motors, tools, measuring instruments, and other apparatus and devices used in mechanical, hydraundraulic mechanical m lic, and aeronautic engineering; for the comparative study of types of apparatus and methods of operation, and for the establishment of standards of performance; for the accurate determination of

Structural materials

Proviso. Information showing

Testing machines.

Investigation of fire-

Public-utility stand-

Radio research.

standardiza-

Clay products proc-

fundamental physical constants involved in the proper execution of this work; and for the scientific experiments and investigations needed in solving the problems which may arise in connection therewith, especially in response to the requirements of aeronautics and aviation for information of a purely scientific nature, including personal services in the District of Columbia and in the field, \$24,179.

Investigation of optical and other types of glass: For the investigation of the problems involved in the production of optical and other types of glass, including personal services in the District of Columbia and in the field, \$14,004.

Investigation of textiles: To investigate textiles, paper, leather, and rubber in order to develop standards of more durable quality and methods of measurement, including personal services in the District of Columbia and in the field, \$29,921.

Sugar standardization: For the standardization and design of sugar-testing apparatus; the development of technical specifications for the various grades of sugars, especially involving the standardization and manufacture of sugars; for the study of the technical problems incidental to the collection of the revenue on sugar and to determine the fundamental scientific constants of sugars and other substances; for the standardization and production of rare and unusual types of sugars required for the medical service of the Government departments; and for other technical and scientific purposes, including personal services in the District of Columbia and in the

field, \$44,118.

Gage standardization: To provide by cooperation of the Bureau of Standards, the War Department, and the Navy Department for the standardization and testing of the standard gages, screw threads, and standards required in manufacturing throughout the United States, and to calibrate and test such standard gages, screw threads, and standards, including necessary equipment and personal services in the District of Columbia and in the field, \$24,218.

Testing railroad-track, mine, and other scales: For investigation and testing of railroad-track scales, elevator scales, and other scales used in weighing commodities for interstate shipments and to secure equipment and assistance for testing the scales used by the Government in its transactions with the public, such as post-office, navy-yard, and customhouse scales, and for the purpose of cooperating with the States in securing uniformity in the weights and measures laws Mine cars and scales and in the methods of inspection; for investigating the conditions and methods of use of scales and mine cars used for weighing and measuring coal dug by miners, for the purpose of determining wages

measuring of coal at the mines, including personal services in the

District of Columbia and in the field, \$31,209.

High temperature investigations: For laboratory and field investigations of suitable methods of high temperature measurements and control in various industrial processes and to assist in making available directly to the industries the results of the Bureau's investigations in this field, including personal services in the District of

due, and of conditions affecting the accuracy of the weighing or

Columbia and in the field, \$4,563. Metallurgical research: For metallurgical research, including alloy steels, foundry practice, and standards for metals and sands; casting, rolling, forging, and the properties of aluminum alloys; prevention of corrosion of metals and alloys; development of metal substitutes, as for platinum; behavior of bearing metals; preparation of metal specifications; investigation of new metallurgical processes and study of methods of conservation in metallurgical manufacture and products; investigation of materials used in the con-

Optical, etc., glass production problems.

Textiles, paper, etc., standardization.

Sugar standardization

Production of rare. etc., types.

Gage standardization.

Testing scales used in weighing commodi-ties for interstate ship-

High temperature in-vestigations.

Metallurgical

struction of rails, wheels, axles, and other railway equipment, and the cause of their failure, including personal services in the District of Columbia and in the field, \$29,610.

Sound investigation: For the investigation of the principles of sound and their application to military and industrial purposes, including personal services in the District of Columbia and in the

Industrial research: For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development, with a view to assisting in the permanent establishment of new American industries, including personal services in the

District of Columbia and elsewhere, \$46,104.

Standardization of equipment: To enable the Bureau of Standards equipment. to cooperate with Government departments, engineers, and manufacturers in the establishment of standards, methods of testing, and inspection of instruments, equipment, tools, and electrical and mechanical devices used in the industries and by the Government, including the practical specifications for quality and performance of such devices, and the formulation of methods of inspection, laboratory, and service tests, including personal services in the District of Columbia and in the field, \$82,545.

Standard materials: For purchase, preparation, analysis, and standards for check-ing chemical analyses. distribution of standard materials to be used in checking chemical analyses in the testing of physical measuring apparatus, including personal services in the District of Columbia and in the field, \$5,791.

Investigation of radioactive substances and X-rays: For an investigation of radioactive substances and the methods of their measure-vestigations. ments and testing; for investigations relative to the development of standard specifications for X-ray equipment and operation; for the investigation of the hazards of X-ray practice; for the testing and standardization of X-ray protective materials; for the standardization and design of X-ray testing equipment; for the determination of fundamental physical constants essential to X-ray diagnosis and therapy, to X-ray analysis of materials, and to other technical and scientific applications, including personal services in the District of Columbia and in the field, \$14,043.

Utilization of waste products from the land: For the survey of the products from the land. possibilities of the industrial utilization of waste products from the land, including cooperation with colleges, other institutions, and manufacturers, including personal services in the District of Columbia and in the field, \$24,873: Provided, That the Bureau of Stand-Bureau of Chemistry and Soils, Department and Soils.

of Agriculture, without duplication of work.

Investigation of automotive engines: For the promotion of investigations. economy and efficiency in automotive transportation by land and by air through investigations of the basic principles underlying the design, performance, operation, and testing of automotive engines, their fuels, lubricants, accessories, and the power-transmitting system used in connection with them, also such elements as brakes and brake linings; to promote economy in the use of liquid fuels and safety in vehicular traffic, including personal services in the District of Columbia and in the field, \$22,306.

Investigation of dental materials: To investigate the physical vestigations. and chemical properties of dental materials, including the method of their application and the causes of deterioration of such materials in service, for the purpose of developing standards of quality and standard methods of test, including personal services in the District of Columbia and in the field, \$4.204.

Sound investigation.

Industrial research.

Standardization

Hydraulic laboratory

Hydraulic laboratory research: For the determination of fundamental data useful in hydraulic research and engineering, including laboratory research relating to the behavior and control of river and harbor waters, the study of hydraulic structures and water flow, and the development and testing of hydraulic instruments and accessories, including personal services in the District of Columbia and in the field, \$26,171.

During the fiscal year 1935 the head of any department or inde-

Cooperative work with departments, etc., on scientific investigations.

pendent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Standards on scientific investigations within the scope of the functions of that bureau, and which the Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the Bureau Transfer of tunds au of Standards such sums as may be necessary to carry on such thorized. investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Standards for performance of work for the department or establishment from which the transfer is made, including, where necessary, compensation for personal services in the District of

Attendance at meet-

Columbia and in the field. Appropriations herein made for the Bureau of Standards shall be available for expenses of attendance at meetings concerned with standardization and research, or either, when incurred on the written authority of the Secretary of Commerce, and for the compensation and expenses of medical officers of the Public Health Service detailed to the Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations.

Total, Bureau of Standards, \$1,436,908, of which amount not to

Services in the Dis-

exceed \$1,256,395 may be expended for personal services in the District of Columbia.

Bureau of Light-houses.

BUREAU OF LIGHTHOUSES

Salaries: For the Commissioner and other personal services in the District of Columbia, \$98,523.

Salaries.

General expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, oil or carbide houses. buoys, submarine signals, and fog signals; establishment of oil or car
provisos. bide houses, not to exceed \$10,000: Provided, That any oil or carbide house erected hereunder shall not exceed \$1,000 in cost; construction of necessary outbuildings at a cost not exceeding \$1,000 at any one light station in any fiscal year; improvement of grounds and build-Restoring light sta ings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: Provided further, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and mainte-

nance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for

General expenses.

Provisos.
Limit on construction cost.

tions. Limitation on use.

Rations.

rations and provisions for the above-named persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding \$2,000 for packing, crating, and transporting personal household effects of employees when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light persons. stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all \$5,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence cannot be made permanent; rent of offices, depots, and wharves; traveling expenses, including travel for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (U.S.C., title 33, sec. 765); mileage; library books for light stations and vessels, and technical books and periodicals not exceeding \$1,000; traveling expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to lighthouse keepers at isolated stations, and the appropriation reimbursed; purchase at not to exceed \$3,600, exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; payment of rewards for the apprehension and conviction, or for information helpful to the apprehension and conviction of persons found interfering with aids to navigation maintained by the Lighthouse Service, in violation of section 6 of the Act of May 14, 1908 (U.S.C., title 33, sec. 761); \$3,752,980.

Keepers of lighthouses: For salaries of not exceeding one thousand eight hundred lighthouse and fog-signal keepers and persons attend-

ing lights, exclusive of post lights, \$1,621,510.

Lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary

employment when necessary, \$1,958,850.

Superintendents, clerks, and so forth: For salaries of eighteen clerks, etc. superintendents of lighthouses, and of assistant superintendents, clerks, draftsmen, and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, \$605,000.

Retired pay: For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, \$480,510.

COAST AND GEODETIC SURVEY

For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including maintenance, repair, exchange, and operation of motor-propelled or horse-drawn vehicles for official use in field work, purchase of motor cycles with side cars, including their exchange, not to exceed \$1,000, surveying instruments, including their exchange, rubber boots, canvas and rubber gloves, goggles, and caps, coats, and aprons for stewards' departments on

Relief of shipwrecked

Land sites purchase.

Travel expenses. Vol. 43, p. 1261. U.S.C., p. 1095.

Contingent expenses.

Paying awards.

Vol. 35, p. 162. U.S.C., p. 1094.

Keepers.

Lighthouse vessels.

Retired pay.

Coast and Geodetic

Expenses.

vessels, extra compensation at not to exceed \$1 per day for each station to employees of the Lighthouse Service and the Weather Bureau while observing tides or currents, services of one tide observer in the District of Columbia at not to exceed \$1 per day, and compensation, not otherwise appropriated for, of persons employed in Attendance at meet the field work, and for expenses of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary of Commerce, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey subscribed by the Secretary of Commerce, and under the following heads:

Field expenses. Atlantic coast.

Field expenses, Atlantic coast: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, \$105,000: Provided, That not more than \$35,000 of this amount shall be expended on the coasts of said outlying islands and the Atlantic entrance to the Panama Canal;

Proviso. Islands

Pacific coast: For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through

Pacific coast.

sea water, \$144,520; Tides, currents, and so forth: For continuing researches in physi-

Physical hydrogra-

cal hydrography, relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, \$13,440;

Coast Pilot: For compilation of the Coast Pilot, including the employment of such pilots and nautical experts, and stenographic

help in the field and office as may be necessary for the same, \$5,370; Magnetic work: For continuing magnetic and seismological observations and to establish meridian lines in connection therewith in all parts of the United States; making magnetic and seismological observations in other regions under the jurisdiction of the United States; purchase of additional magnetic and seismological instruments; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; and including the employment in the field and office of such magnetic and seismological observers

Coast Pilot.

Magnetic and seis-mological observations.

and stenographic services as may be necessary, \$35,079;
Federal, boundary, and State surveys: For continuing lines of exact levels between the Atlantic, Pacific, and Gulf coasts; determining geographic positions by triangulation and traverse for the control of Federal, State, boundary, county, city, and other surveys and engineering works in all parts of the United States; including special geodetic surveys of first-order triangulation and leveling in regions subject to earthquakes, not exceeding \$10,000; determining field astronomic positions and the variation of latitude, including the maintenance and operation of the latitude observatories at Ukiah, California, and Gaithersburg, Maryland, not exceeding \$2,500 each; establishing lines of exact levels, determining geographic positions by triangulation and traverse, and making astronomic observations in Alaska; and continuing gravity observations in the United States and for making such observations in regions under the jurisdiction of the United States and also on islands and coasts adjacent thereto, \$131,970, of which amount not to exceed \$29,300 may be expended

Federal, boundary, and State surveys.

Ukiah and Gaithers-burg observatories.

Alaska.

for personal services in the District of Columbia; For objects not hereinbefore named that may be deemed urgent, including the preparation or purchase of plans and specifications of

Miscellaneous.

vessels and the employment of such hull draftsmen in the field and office as may be necessary for the same; the reimbursement, under rules prescribed by the Secretary of Commerce, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed a total of \$550; actual necessary expenses of officers of the field force temporarily ordered to the office in the District of Columbia for consultation with the director, and not exceeding \$1,000 for the expenses of the attendance of representatives exceeding \$1,000 for the expenses of the attendance of representatives Attendance at meet of the Coast and Geodetic Survey who may be designated as dele-Hydrographic Bureau. gates from the United States at the meetings of the International Hydrographic Bureau, and not exceeding \$3,000 for special surveys that may be required by the Bureau of Lighthouses or other proper

authority, \$3,680;

In all, field expenses, \$439,059.

Vessels: For repairs of vessels, including traveling expenses of persons inspecting the repairs, and exclusive of engineer's supplies

and other ship chandlery, \$58,200.

For all necessary employees to man and equip the vessels, including professional seamen serving as mates on vessels of the Survey, to execute the work of the Survey herein provided for and author-

ized by law, \$475,011.

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including one director with relative rank of captain, six hydrographic and geodetic engineers with relative rank of captain, ten hydrographic and geodetic engineers with relative rank of commander, seventeen hydrographic and geodetic engineers with relative rank of lieutenant commander, forty-seven hydrographic and geodetic engineers with relative rank of lieutenant, sixty-one junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), twenty-nine aides with relative rank of ensign, and including officers retired in accordance with existing law, \$624,991: Provided. That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director.

Office force: For personal services, \$478,800.
Office expenses: For purchase of new instruments (except surveying instruments), including their exchange, materials, equipment, and supplies required in the instrument shop, carpenter shop, and chart division; books, scientific and technical books, journals, books of reference, maps, charts, and subscriptions; copper plates, chart paper, printer's ink, copper, zinc, and chemicals for electrotyping and photographing; engraving, printing, photographing, rubber gloves, and electrotyping supplies; photolithographing and printing charts for immediate use; stationery for office and field parties; transportation of instruments and supplies when not charged to party expenses; telegrams; washing; office furniture, repairs; traveling expenses of officers and others employed in the office sent on special duty in the service of the office; miscellaneous expenses, contingencies of all kinds, not exceeding \$90 for street-car fares, \$50,000.

Appropriations herein made for the Coast and Geodetic Survey Subsistence restricted from the graph of the Coast and Geodetic Survey Subsistence restricted from the graph of the Coast and Geodetic Survey Subsistence restricted from the graph of the Coast and Geodetic Survey Subsistence restricted from the graph of the Coast and Geodetic Survey Subsistence restricted from the Coast and Geodetic Subsistence restricted from the Coast and Geodetic Subsistence restricted from the C shall not be available for allowance to civilian or other officers for subsistence while on duty at Washington (except as hereinbefore provided for officers of the field force ordered to Washington for short periods for consultation with the director), except as now

provided by law.

Relief of shipwrecked

Vessels' repair, etc.

Employees.

Pay and allowances, commissioned officers

Proviso Assistant director.

Office force. Office expenses.

Application of air-plane to field work.

Appropriations herein made for the field expenses of the Coast and Geodetic Survey shall be available for expenditures in the application of the airplane to the field work of the Coast and Photographic apparatus.

Photographic apparatus.

Photographic apparatus.

Photographic apparatus ap cameras and other photographic apparatus, for equipment, except airplanes, and for employment of personnel in the field and office in connection with such work.

Bureau of Fisheries.

BUREAU OF FISHERIES

Commissioner office personnel. and

Commissioner's office: For the commissioner and other personal services in the District of Columbia, \$136,600.

Propagation of food

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment (including rubber boots and oilskins) and apparatus, contingent expenses, pay of permanent employees not to exceed \$353,110, temporary labor, and not to exceed \$10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, and not to exceed \$10,000 for the purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, of which not to exceed \$4,500 may be expended for personal services in the District of Columbia, \$560,950.

Vessels maintenance.

Maintenance of vessels: For maintenance and operation of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, temporary employees, and all other necessary expenses in connection therewith, including not to exceed \$1,000 for the purchase of plans and specifications for vessels or for contract personal services for the preparation thereof, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, \$135,380, of which not to exceed \$4,420 may be expended for pay of officers and employees of vessels of the Atlantic coast and not to exceed \$67,500 for pay of officers and crews of vessels for the Alaska Fisheries Service, and \$10,000 shall be immediately available for the procurement of supplies and equipment required for shipment to the Pribilof Islands for the service of the fiscal year 1935. Commutation of rations (not to exceed \$1 per day) may be paid

Alaska service. Supplies, etc., to Pri-bilof Islands.

Commutation of ra-

of Commerce.

Food fishes inquiry.

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to the aquatic animals, plants, and waters, and screening of irrigation ditches in fishways, in the interests of fish culture and the fishery industries, including pay of permanent employees not to exceed \$93,570, temporary employees, maintenance, repair, improvement, equipment, and operations of biological stations, expenses of travel and preparation of reports, \$127,074.

to officers and crews of vessels of the Bureau of Fisheries during the fiscal year 1935 under regulations prescribed by the Secretary

Fishery industries. Statistical studies.

Fishery industries: For collection and compilation of statistics of the fisheries and the study of their methods and relations, and the methods of preservation and utilization of fishery products, including pay of permanent employees not to exceed \$24,270, compensation of temporary employees, travel and preparation of reports, including temporary employees in the District of Columbia not to exceed \$1,800, and all other necessary expenses in connection therewith, including the purchase (not to exceed \$500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in the field work of the Bureau of Fisheries, \$57,125.

Alaska, general service: For protecting the seal fisheries of Alaska, seincluding the furnishing of food, fuel, clothing, and other necessities tion. of life to the natives of the Pribilof Islands of Alaska; not exceeding \$20,000 for construction, improvement, repair, and alteration of buildings and roads, transportation of supplies to and from the islands, expenses of travel of agents and other employees and subsistence while on said islands, hire and maintenance of vessels, purchase of sea otters, and for all expenses necessary to carry out the provisions of the Act entitled "An Act to protect the seal fisheries of Alaska, and for other purposes", approved April 21, 1910 (U.S.C., title 16, secs. 631-658), and for the protection of the fisheries of Alaska, including pay of permanent employees not to exceed \$62,920, contract stenographic reporting service, travel of employees while on duty in Alaska, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, \$245,693, of which \$100 000 shall be immediately available.

Enforcement of black bass law: To enable the Secretary of Comentitled 'An Act to regulate interstate transportation of black bass, and for other purposes', approved May 20, 1926" (U.S.C., Supp. VI, title 16, secs. 851–856), approved July 2, 1930 (46 Stat., pp. 845–847), \$13,715, of which not to exceed \$1,620 may be expended for personal services in the District of Col. services in the District of Columbia.

Mississippi Wild Life and Fish Refuge: For construction of buildings, boats, and ponds, for purchase of equipment, including boats, for maintenance, operation, repair, and improvements, including expenditures for personal services at the seat of government and Wississippi Wild Life and Fish Refuge. Construction, maintenance, operation, repair, and improvements, including vol. 43, p. 650 U.S.C., p. 437. expenditures for personal services at the seat of government and elsewhere as may be necessary, as authorized in the Act approved

June 7, 1924 (U.S.C., title 16, secs. 721-731), \$15,000.

Not to exceed \$1,000 of the appropriations herein made for the Attendance at meetings.

Bureau of Fisheries shall be available for expenses of attendance at meetings concerned with the work of said Bureau when incurred on the written authority of the Secretary of Commerce, and not to exceed \$1,500 shall be available for the rental of suitable quarters in the District of Columbia for laboratory and storage purposes.

PATENT OFFICE

The following sums are appropriated for the Patent Office for the revenues.

Sums available from revenues.

Vol. 46, p. 156.
U.S.C., Supp VII, fiscal year ending June 30, 1935, out of the revenues of such office in Vol. conformity with section 5 of the Act approved April 11, 1930 p. 819. (U.S.C., Supp. VI, title 35, sec. 22), to the extent that such revenues are sufficient therefor and any remainder out of the general fund of

the Treasury, namely:
Salaries: For the Commissioner of Patents and other personal some and office perservices in the District of Columbia, \$2,921,931: Provided, That of some the amount herein appropriated not to exceed \$25,000 may be used

Proviso. Temporary typists. for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at \$4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

Alaska. Seal fisheries protec-

Vol. 36, p. 326. U.S.C., p. 431.

Black bass law.

Patent Office.

Temporary typists.

Reference books, etc.

For purchase of law, professional, and other reference books and publications and scientific books, including their exchange, and expenses of transporting publications of patents issued by the Patent Office to foreign governments, directories, and for other contingent and miscellaneous expenses of the Patent Office, \$30,000.

Weekly issue of patent drawings, etc.

For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade-marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, \$205,000.

Multigraphed headings. The headings of the drawings for patented cases may be multi-graphed in the Patent Office for the purpose of photolithography.

Investigating prior use of inventions

For investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents, \$300, and for expenses of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce.

Defense of suits.

Furniture, etc.
Printing and binding.

For furniture and filing cases, \$13,000.

For printing the weekly issue of patents, designs, trade-marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, \$850,000; for miscellaneous printing and binding, \$50,000; in all, \$900,000.

Bureau of Mines.

BUREAU OF MINES

Salaries and general expenses

Salaries and general expenses: For general expenses, including pay of the director and necessary assistants, clerks, and other employees, in the office in the District of Columbia, and in the field, and every other expense requisite for and incident to the general work of the bureau in the District of Columbia, and in the field, to be expended under the direction of the Secretary of Commerce, \$48,108, of which amount not to exceed \$45,000 may be expended for personal services in the District of Columbia.

Mine rescue cars and stations.
Investigations

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mines rescue cars and Governmentowned mine rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries;

Attendance at meetings.

purchase not exceeding \$5,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed \$72,000 for personal services in the District of Columbia, \$452,000: *Provided*, That of this amount not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine rescue and first-aid contests;

Mining investigations in Alaska: For investigations and the dis-tions in Alaska: semination of information with a view to improving conditions in the mining, quarrying, and metallurgical industries as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (U.S.C., title 30, sec. 8), and to provide for the inspection of mines and the protection of the lives of miners in the Territory of Alaska, including personal services, equipment, supplies, and

expenses of travel and subsistence, \$6,173.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, \$97,828 of which amount not to exceed \$25,400 may be expended for personal services in the District of Columbia.

Mineral mining investigations: For inquiries and scientific and vestigations. technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence, and the purchase, not to exceed \$2,500, including exchange, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including not to exceed \$14,040 for personal services in the District of Columbia, \$85,974: Provided, That no part of this appropriation may be expended for an investigation in behalf of any hibited. private party.

Oil and gas investigations: For inquiries and investigations and tions. Oil and gas investigadissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: Provided, That section 192 of the Revised Statutes (U.S.C., title 5, sec. 102) shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, not to exceed \$7,000, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles for official use in field work, purchase of laboratory gloves, goggles, rubber boots and aprons, \$111,766, of which amount

Proviso. Rescue trophies

Vol. 38, p. 959 U.S.C., p. 953

Testing fuel.

Proviso. work pro-

Proviso. Purchase of newspa-R.S., sec. 192, p 30 U.S.C., p. 35.

not to exceed \$15,750 may be expended for personal services in the District of Columbia;

experiment Mining

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots and aprons, the purchase not to exceed \$3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (U.S.C. title 30, sec. 8), \$127,036, of which amount not to exceed \$11,800 may be expended for personal services in the District of Columbia;

Vol. 38, p. 959. U.S.C., p. 953.

Pittsburgh, Pa., sta-

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed \$5,000 for additions and improvements, \$61,908. Persons employed during the fiscal year 1935 in field work out-

side of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for purposes of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: Provided,

That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Colum-

bia for purposes only of consultation or investigations on behalf of the United States. All details made hereinunder, and the pur-

poses of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the begin-

ning of each regular session thereof;
The Secretary of the Treasury may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation

work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropria-

Temporary from field service. detail

Proviso Payment of expenses.

Report to Congress.

Details from Public Health Service.

Helium production and investigations.

Helium plants.

tions made herein for the Bureau of Mines; Helium production and investigations: The sums made available for the fiscal year 1935 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines, if their transfer to such Bureau is not required by such Acts, shall be advanced from time to time upon requisition by the Secretary of Commerce in such amounts as may be determined by the President not in excess of the sums needed for the economical and efficient operation and maintenance of the plants for the production of helium for military and/or naval purposes, including purchase, not to exceed \$2,500, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, \$10,100 for personal services in the District of Columbia:

Helium plants: For helium production and conservation, including acquisition of helium-bearing gas land or wells by purchase, exchange, lease, or condemnation, or interest in such land or wells, the purchase, lease, construction, or modification of plants. pipe lines and accessories, compressor stations, camp buildings, and other facilities for the production, transportation, storage, and purification of helium and helium-bearing gas, including acquisition of

sites and rights-of-way therefor, by purchase, lease, or condemnation, and including supplies and equipment, expenses of travel and subsistence, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, including not to exceed \$6,560 for personal services in the District of Columbia, and including the payment of obligations incurred under the contract authorization carried under this heading in the Department of Commerce Appropriation Act for the fiscal year 1932, not to exceed \$50,000 of the unexpended balances in the appropriation "Helium Plants, Bureau of Mines, 1934", is hereby continued available for the fiscal year 1935: Provided, That no part of the appropriation herein made may be expended except dent required. with the approval of the President: Provided further, That the acquirement of leases, sites, and rights-of-way under terms customary in the oil and gas industry, including obligations to pay rental in advance and to pay damages to lands, crops, or structures arising out of the Government's operations is authorized: Provided further, covered in wells acquired or drilled for helium-bearing gas be dis-products appropriation the Secretary of Commerce is such as a such as appropriation the Secretary of Commerce is authorized to provide for the disposal of said wells or the products therefrom, by the contracts under which the property is acquired, or otherwise, in accordance with the interests of the Government therein and in the manner which, in his opinion, is most advantageous to the Government;

Economics of mineral industries: For inquiries and investigations, industries industries. and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding, and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding \$1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passengercarrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing; of which amount not to exceed \$162,210 may be expended for personal services in the District of Columbia; \$207,133.

During the fiscal year 1935 the head of any department or inde-tions for departments, pendent establishment of the Government having funds available etc. for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that Bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of Commerce, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the department or independent establishment of the Government to the ferred funds.

Bureau of Mines for cooperative work in connection — 141 171

Balances available Vol. 46, p. 1350. Vol. 47, p. 1407.

Proviso

Investigations, etc.

Reports.

Statistical inquiries.

priation may be expended in the same manner as sums appropriated

herein may be expended;

Minor purchases without advertising.

The purchase of supplies and equipment or the procurement of services for the Bureau of Mines, at the seat of government, as well as in the field outside of the District of Columbia, may be made in open market without compliance with section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5) of the United States, in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed \$100 in any instance;

R S., sec. 3709, p. 733, U S.C., p. 1309.

For the purchase or exchange of professional and scientific books, law books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Bureau of Mines, there is hereby made available from any appropriations

Scientific books, purchase

made for such bureau not to exceed \$2,500;

Attendance at meet-

For necessary traveling expenses of the director and employees of the bureau, acting under his direction, for attendance upon meetings of technical, professional, and scientific societies, when required in connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of Commerce, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all \$1,000;

Total, Bureau of Mines, \$1,197,926.

United States Shipping Board Bureau.

UNITED STATES SHIPPING BOARD BUREAU

Salaries and penses. Vol. 41, p. 989. U.S.C., p. Supp. VII, p. 961. Ante, p. 298.

Salaries and expenses: To carry out the provisions of the Shipping Act, 1916, as amended, and the Merchant Marine Acts of 1920 and 1928, as amended (U.S.C., title 46, secs. 804, 805, 861–889; Supp. VI. title 46, secs. 891-891x, Act of June 16, 1933, 48 Stat., 298; Executive Order numbered 6166, June 10, 1933), including the compensation of attorneys, officers, naval architects, special experts, examiners, and clerks, one technical expert in connection with construction loan fund, at not to exceed \$10,000 per annum, and other employees in the District of Columbia and elsewhere; and for other expenses of

Rent. Travel expenses.

the Bureau, including the rental of quarters outside the District of Columbia, traveling expenses of employees of the Bureau, while upon official business away from their designated posts of duty, including attendance at meetings or conventions of members of any society or association, the purpose of which is of interest to the development and maintenance of an American merchant marine, when incurred on the written authority of the Secretary of Commerce, and for the employment by contract of expert stenographic reporters for its official reporting work, \$219,216, of which amount

Statement to accom-pany annual estimates.

not to exceed \$205,957 may be expended for personal services in the District of Columbia: *Provided*, That the annual estimates of the Shipping Board Bureau for the fiscal year 1936 shall be accompanied by a statement showing the number and compensation of employees of the Fleet Corporation assigned to that Bureau: Provided further, Salaries of employees That employees of the Merchant Fleet Corporation assigned to and assigned from Merchant Fleet Corporation serving with the Shipping Board Bureau whose compensation is

within the range of salary prescribed for the appropriate grade to U.S.C., p 65; Supp. which the position has been allocated under the Classification Act of 1923, as amended, shall not be subject to reduction in salary by reason of their transfer during the fiscal year 1935 to the pay roll of the

Shipping fund: Shipping fund: For expenses of the United States Shipping Board Expenses of Shipping Merchant Fleet Corporation during the fiscal year ending June 30, Shipping fund: For expenses of the United States Shipping Board 1935, for administrative purposes, including the salaries of employees (not to exceed \$316,000) of the Fleet Corporation assigned to the

Bureau.

Shipping Board Bureau, miscellaneous adjustments, losses due to the maintenance and operation of ships, including operation through an agreement to pay a lump-sum compensation, for the protection of the interests of the United States in any vessel on which the United States holds a mortgage, for the repair of ships, for the purchase, exchange, maintenance, repair, and operation of motor vehicles for official purposes only; for the payment of premiums for liability, fire, theft, property damage, and collision insurance and for other forms of insurance, including schedule and fidelity bonds, commonly carried by commercial corporations engaged in the same or a similar business, and for carrying out the provisions of the Merchant Marine Act, 1920, and amendments thereto, (a) the amount of operating funds on hand July 1, 1934; (b) all amounts received during the fiscal year ending June 30, 1935, other than the proceeds of sales of ships and surplus property; (c) so much of the total proceeds of sales of ships and surplus property received during the fiscal year 1935, but not exceeding \$750,000, as is necessary to meet the expenses of liquidation, including the costs incident to the delivery of vessels to purchasers, the cost of maintaining the laid-up fleet and the salaries no part of these sums, (a), (b), and (c) shall be used for the payment of claims arising out of the construction and required.

That portion of the special claims appropriation contained in the priation.

That portion of the special claims appropriation contained in the priation.

Vol. 42, p. 647. Independent Offices Appropriation Act for the fiscal year 1923 committed prior to July 1, 1923, and remaining unexpended on June 30. 1934, shall continue available until June 30, 1935, for the same purposes and under the same conditions.

To enable the United States Shipping Board Merchant Fleet Corporation to operate ships or lines of ships which have been or may be taken back from purchasers by reason of competition or other methods employed by foreign shipowners or operators, there is hereby reappropriated the unexpended balance of the appropriation of \$10,000,000 made for similar purposes in the Independent Offices Appropriation Act for the fiscal year 1927: Provided, That Appropriation of the purposes of this paragraph dent. from this sum without the prior approval of the President of the United States.

No part of the sums appropriated in this Act shall be used to Attorneys. Approval of contract pay the compensation of any attorney, regular or special, for the of employment. No part of the sums appropriated in this Act shall be used to United States Shipping Board Bureau or the United States Shipping Board Merchant Fleet Corporation unless the contract of employment has been approved by the Attorney General of the United

No part of the funds of the United States Shipping Board Mer-payments. chant Fleet Corporation shall be available for the rent of buildings in the District of Columbia during the fiscal year 1935 if suitable space is provided for said corporation by the Office of National Parks, Buildings, and Reservations of the Department of the Interior.

No part of the funds of the United States Shipping Board Mer- oil of foreign production. The Corporation shall be available during the fiscal year tion. 1935 for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions, where oil of the production of the United States or its possessions is available, if the cost of such oil compared with foreign-oil costs be not unreasonable.

Vol. 41, p. 988.

Special claims appro-

Operation of ships.

Vol. 44, p. 318 Proviso. Approval of Presi-

Restriction on rent

Compensation of at-

Short title.

bor.

Of the sums herein made available under the United States Shipping Board Bureau, not to exceed an aggregate of \$150,000 shall be yearly salary basis, including their clerical and legal assistants.

This title may be cited as the "Department of Commerce Appropriation Act, 1935." expended for compensation of regular attorneys employed on a

TITLE IV—DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

Office of the Secretary.

Department of La-

Salaries.

Promotion of health, fety, employment, safety,

Contingent expenses.

Vol. 36, p. 531. U.S.C., p. 1309.

Proviso.
Minor purchases without advertising.
R.S., sec. 3709, p. 733.
U.S.C., p. 1309.

Printing and binding.

Commissioners of conciliation.

Vol. 37, p. 738. U.S.C., p. 62.

Salaries: Secretary of Labor, Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, \$210,500.

Promotion of health, safety, employment, etc.: For salaries and expenses in connection with the promotion of health, safety, employment stabilization, and amicable industrial relations for labor and industry, \$73,685, of which amount not to exceed \$56,825 may be expended for personal services in the District of Columbia.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oil-cloths, file cases, towels, ice, brooms, soap, sponges, laundry, street-car fares not exceeding \$200; lighting and heating; purchase, exchange, maintenance, and repair of motorcycles and motor trucks; maintenance, operation, and repair of a motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; newspaper clippings not to exceed \$1,800, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; purchase of law books, books of reference, news-papers, and periodicals, not exceeding \$5,150; in all, \$53,000; and in addition thereto such sum as may be necessary, not in excess of \$25,000, to facilitate the purchase, through the central purchasing office as provided in the Act approved June 17, 1910 (U.S.C., title 41, sec. 7), of certain supplies for the Immigration Service, shall be deducted from the appropriation "Salaries and expenses, Immigration and Naturalization Service", made for the fiscal year 1935 and added to the appropriation "Contingent expenses, Department of Labor", for that year; and the total sum thereof shall be and constitute the appropriation for contingent expenses for the Department of Labor, to be expended through the central purchasing office (Division of Publications and Supplies), Department of Labor: Provided, That section 3709 of the Revised Statutes of the United States (U.S.C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of \$50.

Printing and binding: For printing and binding for the Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere,

\$169,000.

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (U.S.C., title 5, sec. 611) and to appoint commissioners of conciliation, traveling expenses, telegraph and telephone service, and not to exceed \$14,635 for personal services in the District of Columbia, \$185,630.

BUREAU OF LABOR STATISTICS

Salaries and expenses: For personal services, including temporary statistical clerks, stenographers and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; traveling expenses, including expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor; purchase of periodicals, documents, envelops, price quotations, and reports and materials for reports and bulletins of said bureau, \$528,000, of which amount not to exceed \$385,000 may be expended for the salary of the Commissioner and other personal services in the District of Columbia.

Investigation of cost of living in the United States: For personal services, including temporary statistical clerks, stenographers, and typewriters in the District of Columbia and elsewhere; traveling expenses; supplies and equipment; telegraph and telephone service; rent of tabulating machines; and any other necessary expense in connection with the conduct of the study and printing the report, \$140,720.

IMMIGRATION AND NATURALIZATION SERVICE

Salaries and expenses: For enforcement of the laws regulating the immigration to, the residence in, and the exclusion and deportation from the United States of aliens, and persons subject to the Chinese exclusion laws; for enforcement of the laws authorizing a uniform rule for the naturalization of aliens; salaries, transportation, traveling, and other expenses of officers, clerks, and other employees appointed to enforce said laws; care, detention, maintation and exclusion of aliens, and persons subject to the Chinese aliens. tenance, transportation, and traveling expenses incident to the deporexclusion laws, as authorized by law, in the United States and to, through, or in foreign countries; purchase of supplies and equipment, including alterations and repairs; purchase, exchange, operation, maintenance, and repair of motor-propelled vehicles, including passenger-carrying vehicles for official use in field work; cost of reports of decisions of the Federal courts and digests thereof for official use; verifications of legal papers; refunding of head tax, maintenance bills, immigration fines, registry fees, reentry permit fees, and naturalization fees, upon presentation of evidence showing conclusively that collection and deposit was made through error; mileage and fees to witnesses subpenaed on behalf of the United States, and for all other expenses necessary to enforce said laws \$8,460,000, all to be expended under the direction of the Secretary of Labor, of which amount not to exceed \$477,800 may be expended for the salary of the Commissioner of Immigration and Naturalization and other personal services in the District of Columbia, including services of persons authorized by law to be detailed there for duty: *Provided*, That not to exceed \$45,000 of the sum herein appropriated shall be available for the purchase, including exchange, of motor-propelled passenger-carrying vehicles: Provided further, That the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, may contract with officers and employees stationed outside of the District of Columbia whose salaries are payable from this appropriation, for the use, on official business outside of the District of Columbia, of privately owned horses, and the consideration agreed upon shall be payable from the funds herein appropriated: Provided further, That not to exceed quarters, heat, fuel, \$22,600 of the total amount herein appropriated shall be available and light. for allowances for living quarters, including heat, fuel, and light,

Bureau of Labor Statistics.

Commissioner office personnel.

Immigration and Naturalization Service.

Salaries and

Witness fees.

Commissioner.

Provisos.

Privately owned

Attendance at meet-

Vol. 46, p. 818. U.S.C., Supp. VII, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, p. 20. title 5, sec. 118a), not to exceed \$1,700 for any person: Provided further, That not to exceed \$400 of the sum herein appropriated may be expended for attendance at meetings concerned with the naturalization of aliens when incurred on the written authority of the Secre-Compensation of assistants to clerks of courts forbidden.

Payment of rewards.

Payment of rewards.

Compensation of assistants to clerks of shall be available for the compensation of assistants to clerks of United States courts: Provided further, That not to exceed \$10,000 may be expended for payment of of the sum herein appropriated may be expended for payment of rewards, when specifically authorized by the Secretary of Labor, for information leading to the detection, arrest, or conviction of persons violating the immigration or naturalization laws.

Immigration sta-

Immigration stations: For remodeling, repairing (including repairs to the ferryboat, Ellis Island), renovating buildings, and purchase of equipment, \$25,000.

Children's Bureau.

CHILDREN'S BUREAU

Salaries and expenses. Investigations.

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; traveling expenses, including expenses of attendance at meetings for the promotion of child welfare when incurred on the written authority of the Secretary of Labor; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses, \$337,030, of which amount not to exceed \$272,000 may be expended for personal services in the District of Columbia.

Women's Bureau.

WOMEN'S BUREAU

Salaries and expenses. Vol. 41, p. 987. U.S.C., p. 947; Supp. VII, p. 745.

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (U.S.C., title 29, secs. 11-16; U.S.C., Supp. VI, title 29, secs. 12-14), including personal services in the District of Columbia, not to exceed \$120,060; purchase of material for reports and educational exhibits, and traveling expenses, \$139,160, which sum shall be available for expenses of attendance at meetings concerned with the work of said bureau when incurred on the written authority of the Secretary of Labor.

Employment Service

UNITED STATES EMPLOYMENT SERVICE

Promotion of employment. Ante. p. 113.

Books.

For carrying out the provisons of the Act entitled "An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933; personal services and rent in the District of Columbia and elsewhere; traveling expenses, Attendance at meet- including expenses of attendance at meetings concerned with the work of the United States Employment Service when specifically authorized by the Secretary of Labor; law books, books of reference and periodicals, printing and binding, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, \$3,700,000; of which amount not to exceed \$165,000 shall be available for personal services in the department in the District of Columbia; and of such such \$3,700,000, of which not less than \$200,000 shall be expended to \$1,000,000 the state of \$1,000,000 the state o for Veterans' Placement Service and not more than \$3,000,000 shall be apportioned to the States, and the remainder shall be available for all other purposes.

UNITED STATES HOUSING CORPORATION

United States Housing Corporation.

Salaries and expenses.

Printing and binding.

Salaries and expenses: For officers, clerks, and other employees, and for contingent and miscellaneous expenses, in the District of Columbia and elsewhere, including blank books, maps, stationery, file cases, towels, ice, brooms, soap, freight and express charges, communication service, travel expense, printing and binding not to exceed \$150, and all other miscellaneous items and expenses not included in the foregoing and necessary to collect and account for the receipts from the sale of properties and the receipts from the operation of unsold properties of the United States Housing Corporation, the Bureau of Industrial Housing and Transportation, property commandeered by the United States through the Secretary of Labor, and to collect the amounts advanced to transportation facilities and others; for payment of special assessments and other utility, municipal, State, and county charges or assessments unpaid by purchasers, and which have been assessed against property in which the United States Housing Corporation has an interest, and to defray expenses incident to foreclosing mortgages, conducting sales under deeds of trusts, or reacquiring title or possession of real property under default proceeding, including attorney fees, witness fees, court costs, charges, and other miscellaneous expenses; for the maintenance and repair of houses, buildings, and improvements which are unsold; in all, \$9,080: Provided, That no person shall be employed hereunder at a rate of compensation exceeding \$4,000 per annum, and only one person may be employed at that rate: Provided further, That no prior appropriations not available. part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended

for the purposes for which appropriations are made herein.

SEC. 2. That no part of the money appropriated under this Act Restriction on exshall be paid to any person for the filling of any position for which tions.

he or she has been nominated after the Senate has voted not to

approve of the nomination of said person.

This title may be cited as the "Department of Labor Appropria-

tion Act, 1935.

Approved, April 7, 1934.

[CHAPTER 105.]

AN ACT

To amend section 3702, Revised Statutes.

ussembled, That section 3702 United States interested the following paragraphs:

"(2) Whenever it appears to the Secretary of the Treasury by clear and unequivocal proof that any interest-bearing bond of the United States, fully identified by number and description, has, without bad faith on the part of the owner, been lost to such owner under such circumstances and for such period of time of the indicate or has become redeemable pursuant to a call for redemption as in the judgment of the Secretary would indicate that it had been destroyed or irretrievably lost, is not held by any person as his own property, and will not be presented by a bona fide holder for value, the Secretary of the Treasury is authorized to make payment of the amount which would have been due on such bond had it been presented at the time it became due and payable. But no payment shall be made on account of interest represented by coupons claimed to have been attached to a missing coupon bond at the time of its loss

Provisos. Salary restriction.

Short title.

April 9, 1934. [S. 1528.] [Public, No. 144.]

Interest payment.

"Bond" defined.

or destruction, unless the Secretary of the Treasury is satisfied that such coupons have not been paid and are in fact destroyed or can never be made the basis of the vided, That where relief is authorized under the provisions of the vided, That where relief is authorized under the provisions of the vided, That where relief is authorized under the provisions of the vided, That where relief is authorized under the provisions of the Resistance of the Secretary of the Inauc the basis of the vided, That where relief is authorized under the provisions of this paragraph the bond of indemnity required by section 3703 of the Revised Statutes shall be in a penal sum of double the amount to be paid and shall be executed by an approved corporate surety. The Secretary of the Treasury is further authorized to make from time never be made the basis of a claim against the United States: Pro-

respect to the administration of this paragraph.

"(3) The term 'bond' wherever used in this section and in sections 3703, 3704, and 3705 of the Revised Statutes shall be deemed, for the purposes of these sections, to include any interest-bearing obligation of the United States or those issued on a discount basis."

Approved, April 9, 1934.

[CHAPTER 106.]

AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Missouri.

April 9, 1934. [S. 2308.] [Public, No. 145.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for bridging, at Randolph, commencing and completing the construction of the bridge across Mo. Vol. 45, pp. 729, 1431; the Missouri River at or near Randolph, Missouri, authorized to be Vol. 47, pp. 149, 772, amended. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across Vol. 45, pp. 729, 1431; the Missouri River at or near Randolph, Missouri, authorized to be Vol. 47, pp. 149, 772, amended. tofore extended by Acts of Congress approved March 1, 1929, May 14, 1930, February 6, 1931, and May 6, 1932, and January 19, 1933, are hereby further extended two and four years, respectively, from May 24, 1934.
Sec. 2. The right to alter, amend, or repeal this Act is hereby

Amendment.

expressly reserved.

Approved, April 9, 1934.

[CHAPTER 107.]

AN ACT

April 9, 1934. [S. 2592.] [Public, No. 146.]

Granting the consent of Congress to the State of Minnesota, and Scott County and Carver County, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River at or near Jordan, Minnesota.

Minnesota River. Minnesota may bridge, at Jordan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Minnesota, and Scott County and Carver County, in the State of Minnesota, to construct, maintain, and operate a free bridge and approaches thereto across the Minnesota River, at a point suitable to the interests of navigation, at or near Jordan, Minnesota, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this Act is hereby

Construction. Vol. 34, p. 84.

Amendment.

expressly reserved.

Approved, April 9, 1934.

[CHAPTER 108.]

AN ACT

Granting the consent of Congress to the Highway Department of the State of Minnesota to construct, maintain, and operate a free highway bridge across the Saint Louis River at or near Cloquet, Minnesota.

April 9, 1934. [S. 2593.] [Public, No. 147.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent Minnesota may of Congress is hereby granted to the Highway Department of the bridge, at Cloquet. State of Minnesota to construct, maintain, and operate a free highway bridge and approaches thereto across the Saint Louis River, at a point suitable to the interests of navigation, at or near Cloquet, Minnesota, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.
Sec. 2. The right to alter, amend, or repeal this Act is hereby

Construction Vol. 34, p. 84

expressly reserved.

Amendment.

Approved, April 9, 1934.

[CHAPTER 109.]

AN ACT

Granting the consent of Congress to the Highway Department of the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the southerly end of Lake Bemidji, Minnesota.

April 9, 1934. [S. 2594.] [Public, No. 148.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Highway Department of bridge, at southerly the State of Minnesota to construct, maintain, and operate a free end of Lake Bemidji. highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near the southerly end of Lake Bemidji, Minnesota, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction. Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 9, 1934.

[CHAPTER 110.]

AN ACT

Granting the consent of Congress to the Highway Department of the State of Tennessee to construct, maintain, and operate a free highway bridge across the Cumberland River at or near Carthage, Smith County, Tennessee.

April 9, 1934. [S. 2953.] [Public, No. 149.]

Be it enacted by the Senate and House of Representatives of the of Congress is hereby granted to the Highway Department of the bridge, at Carthage. State of Tennessee to construct, maintain and operate a few seconds. bridge and approaches thereto across the Cumberland River, at a point suitable to the interests of navigation, at or near Carthage, Smith County, Tennessee, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction. Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 9, 1934.

73d CONGRESS. SESS. II. CHS. 111-113. APRIL 13, 1934.

[CHAPTER 111.]

AN ACT

April 13, 1934. [S. 194.] [Public, No. 150]

To change the name of B Street southwest in the District of Columbia.

District of Columbia. B Street southwest changed to Independ-ence Avenue.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in honor of the Declaration of Independence of the United States of America, the thoroughfare now known as "B Street southwest", running west from South Capitol Street in the District of Columbia, and as it may at any time be extended, widened, or otherwise changed, shall hereafter bear the name "Independence Avenue."

Approved, April 13, 1934.

[CHAPTER 112.]

AN ACT

April 13, 1934. [S. 682.] [Public, No. 151.]

To prohibit financial transactions with any foreign government in default on its obligations to the United States.

Be it enacted by the Senate and House of Representatives of the Foreign governments in default on obligations to United States of America in Congress assembled, That hereafter it is Financial transactions to United States of America in Congress assembled, That hereafter it shall be unlawful within the United States or any place subject to tions with, prohibited, the jurisdiction of the United States for any person to purchase or sell the bonds, securities, or other obligations of, any foreign government or political subdivision thereof or any organization or association acting for or on behalf of a foreign government or political subdivision thereof, issued after the passage of this Act, or to make any loan to such foreign government, political subdivision, Existing indebted organization, or association, except a renewal or adjustment of ness, renewals, and advantage in John of the control of the existing indebtedness while such government, political subdivision, organization, or association, is in default in the payment of its obligations, or any part thereof, to the Government of the United Punishment for States. Any person violating the provisions of this Act shall upon conviction thereof be fined not more than \$10,000 or imprisoned for

justments.

violation.

"Person" defined.

not more than five years, or both.

Sec. 2. As used in this Act the term "person" includes individual, partnership, corporation, or association other than a public corporation created by or pursuant to special authorization of Congress, or a corporation in which the Government of the United States has or exercises a controlling interest through stock ownership or otherwise.

Approved, April 13, 1934.

[CHAPTER 113.]

AN ACT

April 13, 1934. [S. 2057.] [Public, No. 152.]

Authorizing the sale of certain property no longer required for public purposes in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the

Description.

District of Columbia. United States of America in Congress assembled, That the Comschool property authorized and empowered to sell and convert to the little district of the District of Columbia be, and they are hereby, authorized and empowered to sell and convert to the little district. authorized and empowered to sell and convey to the highest bidder, at public or private sale and at such time as in their opinion may be most advantageous to the District of Columbia, the old Potomac School property, known as lot 802 in square 327, containing five thousand eight hundred and thirty-seven square feet of land, more or less, and the proceeds from such sale shall be deposited in the United States Treasury to the credit of the District of Columbia. Approved, April 13, 1934.

[CHAPTER 114.]

AN ACT

To readjust the boundaries of Whitehaven Parkway at Huidekoper Place in the District of Columbia, provide for an exchange of land, and for other purposes.

April 13, 1934. [S. 2509.] [Public, No. 153.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to Boundaries of White-readjust the boundaries of Whitehaven Parkway at Huidekoper Bace, to Bereadjusted.

District of Columbia.

District of Columbia.

District of Columbia.

District of Columbia. Commissioners of the District of Columbia be, and they are hereby, authorized to close, vacate, and abandon for highway and alley purposes the area contained in parcel designated "A", as shown on map filed in the office of the surveyor of the District of Columbia and numbered as map 1817, and to transfer said area so closed, vacated, and abandoned to the United States to be under the jurisdiction of the Director of National Parks, Buildings, and Reservations for park purposes.

Sec. 2. That the Commissioners of the District of Columbia are authorized to use for street and alley purposes the area comprised alley purposes. within the parcels designated "B", as shown on map filed in the office of the Surveyor of the District of Columbia and numbered as map 1817; and the Director of National Parks, Buildings, and Reservations is authorized to make the necessary transfer of said land to the District of Columbia, same to be under the jurisdiction of the said

Federal property in exchange, for street and

Commissioners for street and alley purposes.

SEC. 3. That upon the dedication by the lawful owner or owners of Exchanges authorthe land contained in the parcel designated "C" and the transfer by owners. plat as provided herein and/or the conveyance by deed of the land contained in the parcel designated "D", in accordance with map showing said parcels filed in the office of the surveyor of the District of Columbia, numbered as map 1817, the said parcel "C" to be dedicated to the District of Columbia for street purposes and the said parcel "D" transferred by plat and/or conveyed by deed to the United States, to be under the jurisdiction of the Director of National Parks, Buildings, and Reservations, then the said Director of National Parks, Buildings, and Reservations, with the approval of the Secretary of the Interior, acting for and in behalf of the United States of America, is authorized and directed to transfer by plat as provided herein and/or convey by deed all the land comprised in the parcel designated "E" as shown on said map filed in the office of the surveyor of the District of Columbia and numbered as map 1817, said transfer and/or conveyance to be made to the owner or owners making the transfer and/or conveyance of said parcel designated "D" to the United States, such transfers and/or deeds of conveyance to pass title in fee simple to the said land, and any and all of such transfers when duly executed and consummated shall constitute legal conveyances of the parcels herein described to the parties in interest: Provided, however, That good and sufficient title, satisfactory to the Commissioners of the District of Columbia and the Director of National Parks, Buildings, and Reservations shall be given with respect to the land contained in said parcels "C" and "D" respectively: And provided further, That upon the transfer by plat and/or sessment, etc. Land subject to asthe conveyance by deed of the said parcel designated "E", as provided having the land or the said parcel designated "E", as provided having the land or the said parcel designated "E", as provided having the land or the said parcel designated "E", as provided having the land or the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the said parcel designated "E", as provided having the land of the l vided herein, the land contained in said parcel shall be subject to assessment and taxation the same in all respects as other private property in the District of Columbia.

Provisos.
Title.

SEC. 4. That the surveyor of the District of Columbia is hereby prepared, etc. authorized to prepare the necessary plat or plats showing the parcels of land to be transferred and dedicated in accordance with the provisions of this Act, with certificates affixed thereon to be signed by the

parties in interest making the necessary transfers and dedication, which plat or plats, after being signed by the various interested parties and officials, and approved by the Commissioners of the District of Columbia, upon recommendation of the National Capital Park and Planning Commission, shall be recorded upon order of said Commis-Use as legal evidence sioners in the office of the surveyor of the District of Columbia, and said plat or plats and certificates when so recorded shall constitute a legal dedication and legal transfers of the property described for the purposes designated according to the provisions of this Act.

[CHAPTER 115.]

Approved, April 13, 1934.

AN ACT

April 13, 1934. [S. 2545.] [Public, No. 154.]

To extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Astoria, Oregon.

Columbia River.
Time extended for bridging, at Astoria,

Authority trans-ferred to Clatsop Coun-ty Court

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Org. Vol. 46, p. 540; vol. 47, p. 799, amended.

Columbia River at or near Astoria, Oregon, authorized to be built by J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office J. C. Tenbrook, as mayor of Astoria, Oregon, his successors in office and assigns, by an Act of Congress approved June 10, 1930, are hereby extended one and three years, respectively, from February 9, 1934, and said Act is hereby amended by striking out the words "J. C. Tenbrook, as mayor of Astoria, Oregon," wherever they appear in said Act and by inserting in lieu thereof the following: "The County Court of Clatsop County, Oregon": Provided, That Holding company The County Court of Classop County, Oregon ": Provided, That until costs, etc., are the Rivers Improvement Corporation (an Oregon corporation), liquidated. assignee of the right to build such bridge under such Act, and organized solely to construct such bridge for the public, shall contract to transfer such bridge upon the liquidation of all costs or obligations with respect to the construction thereof to the county of Clatsop (Oregon), city of Astoria (Oregon), and/or Pacific County (Washington) as may be agreed among them, without profit to said Rivers Improvement Corporation and without cost to such public bodies, in such manner as will not involve such public bodies as the holder or owner of any stock in any association, joint-stock company, or corporation.

Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 13, 1934.

[CHAPTER 116.]

AN ACT

April 13, 1934. [S. 2550.] [Public, No. 155.]

Granting an easement over certain lands to the Springfield Special Road District in the county of Greene, State of Missouri, for road purposes.

Greene County, Mo.
Easement granted
over certain lands to
the Springfield Special
Road District

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an easement over the following-described land, to wit: A strip of land thirty feet wide off the right side of the following-described center line: Beginning forty feet south of the northeast corner of the northwest quarter northeast quarter section 34, township 29 north, range 22 west; thence south two thousand five hundred and nine and ninetyone one-hundredths feet; thence to the left on a curve with one hundred and forty-six and nineteen one-hundredths feet radius two hundred and twenty-five and ninety-one one-hundredths feet, except that part of the curve lying in the southwest corner southeast quar-

ter northeast quarter of said section; thence east on east and west half section line three hundred and seventy-six and eighty-nine onehundredths feet; thence to the right on a curve with one hundred and forty-six and nineteen one-hundredths feet radius ninety-two feet; thence continuing on same curve but with thirty feet on both sides of the center line a distance of forty-one and five-tenths feet; thence continuing on the same curve but with thirty feet on the right of the center line a distance of ninety-two and forty-one onehundredths feet; thence south two thousand two hundred and thirtyfive and seven hundred and seven one-thousandths feet; thence on a curve to the right with two hundred and eighty-seven and ninetenths feet radius with thirty feet on both sides of the center line a distance of four hundred and forty-six and four hundred and seventeen one-thousandths feet; thence west with thirty feet on the right or north side of the center line to the southeast corner of the west half southeast quarter southwest quarter of said section; also a strip of land thirty feet wide off the west side of the northwest quarter southwest quarter; also a strip of land thirty feet wide off of the west side of the northwest quarter of said section except the north three hundred and twenty-four feet; also a curve with a onehundred-foot radius on the center line at the northeast corner of the northwest quarter northeast quarter. All of the above described is in section 34, township 29 north, range 22 west, and is a strip of land thirty feet wide off the east, south, and west sides of the United States Hospital for Defective Delinquents, Springfield, Missouri, except that at two places where curves occur the full sixty-foot width of the right-of-way is included, be, and the same is hereby, granted to the State of Missouri for public-road purposes; and the Attorney General is, upon the passage of this Act, authorized to execute a deed containing such restrictions consistent with the character of the

grant for public-road purposes as he deems necessary.

Sec. 2. The said easement is granted solely for road purposes, and solely reversionary shall revert to and become the absolute property of the United States provision. of America if used for any purpose whatsoever other than that for which this donation is made, or in the event it is abandoned

or vacated as a public road.

SEC. 3. Not to exceed \$5,000 of the unexpended balance of any button toward road appropriation available for the construction or maintenance of the construction.

United States Hospital for Defective Delinquents shall be available

Available fund. in the discretion of the Attorney General for payment to the proper authorities of the Springfield Special Road District of Greene County, Missouri, as representing the full amount to be contributed by the Government toward the cost of constructing the road herein accrued taxes. provided for, and in lieu of accrued taxes, if any, assessed against said property, and the said amount shall remain available for this purpose until expended.

Approved, April 13, 1934.

[CHAPTER 117.]

AN ACT

Creating the Cairo Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Ohio River at or near Cairo, Illinois.

April 13, 1934. [S. 2675] [Public, No. 156.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to Cairo Bridge Comfacilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the Cairo Bridge Commission (hereinafter created, and hereinafter referred to as the "Commis-

ferries, etc.

sion") and its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at or near the city of Cairo, Illinois, at a point suitable to the interests of navigation, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act. For like purposes said Commission and its successors and assigns are hereby authorized to purchase, maintain, and operate all or any ferries across the Ohio and/or Mississippi Rivers within ten miles of the location which shall be selected for said bridge, subject to the conditions and limitations contained in this Act.

Acquisition of real estate, etc., for location, approaches, etc.

Sec. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Illinois and the Commonwealth of Kentucky as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said States, respectively.

Condemnation pro-

Sec. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and

Tolls authorized.

such ferry or ferries in accordance with the provisions of this Act. Sec. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches and the ferry or ferries and the necessary lands, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 per centum per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this Act. Such bonds may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding forty years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may deter-The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding one hundred and five and accrued interest, as may be fixed by the Commission prior to the Bank, etc., may act issuance of the bonds. The Commission may enter into an agreement as trustee. with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of moneys on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employ-

Interest-bearing onds to cover costs. bonds to cover costs, etc., authorized.

Paying thereon. premium

Maturity. Denominations.

Redemption, etc., before maturity reserved.

Protective provi-

ment of consulting engineers and of the security given by the bridge bridge contractors, etc. contractors and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The bridge constructed under the authority of this Act shall be deemed to be an instrumentality for interstate commerce, state commerce, etc. the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such itation. manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6 per centum interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches, and the land, easements, and appurtenances used in connection therewith and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost Use of proceeds to of the bridge and ferry or ferries shall be deemed to include interest during construction of the bridge, and for twelve months thereafter, and all engineering, legal, architectural, traffic-surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds placed issued shall exceed the cost as finally determined, the excess shall be fund. placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds have been executed and are available for delivery.

Sec. 5. In fixing the rates of toll to be charged for the use of such Rates; applied to bridge the same shall be so adjusted as to provide a fund sufficient provide a sinking fund. to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by ord of the cost of the bridge and its approaches, the expenditures be kept.

Bridge deemed in-strumentality for inter-

Tax exemption.

Excess over cost to be

tolls collected, shall be kept and shall be available for the informa-

Toll exemptions.

Ferries; authority of Commission.

Tolks

Application of, to operation, sinking fund,

Record to be kept.

Conveyance of interests to Illinois and Kentucky after sufficient funds provided.

interested.

Disposal of ferries.

Classification, etc. tion of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or of the Government of the United States or any State, county, or municipality in the United States while in the discharge of their duties or municipal police or fire departments when engaged in the proper work of any such department.

Sec. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors

and ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries; the expenditures for maintaining,

repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons

Sec. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within Illinois to the State of Illinois or any municipality or agency thereof as may be referred to as the Illinois interests) and that part within Kentucky to the Commonwealth of Kentucky or any municipality or agency thereof as may be authorized by or pursuant to law to accept the bridge thereafter be toll free, etc. authorized by or pursuant to law to accept the same (hereinafter properly maintained, operated, and repaired by the Illinois interests Commission to contain and the Kentucky interests, as may be agreed upon; but if either either state fails to act the Illinois interests or the Kentucky interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both the Illinois interests and the Kentucky interests shall be authorized to accept and shall accept such conveyance under such conditions. If at the time of such conveyance the Commission or its successors shall not

have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms

as the Commission or its successors may determine.

(a) Notwithstanding any restriction or limitation imposed by the Add from State ellot-Act entitled "An Act to provide that the United States shall aid Highway, etc., Acts the States in the construction of rural post roads, and for other permitted. purposes", approved July 11, 1916, or by the Federal Highway Vol. 39, p. 355; Vol. Act, or by any Act amendatory of or supplemental to either thereof, U.S.C., pp. 669, 665. the Secretary of Agriculture may extend Federal aid under such Acts, for the construction of said bridge, out of any moneys allocated to the State of Illinois with the consent of the Department of Public Works and Buildings of said State, and out of any moneys allocated to the State of Kentucky with the consent of the State Highway Commission of said State.

SEC. 8. For the purpose of carrying into effect the objects stated Cairo Bridge Commission created. in this Act, there is hereby created the Cairo Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The Commission shall consist of James S. Johnson, John C. Composition of commission. Fisher, Reed Green, and Ray Williams, of the city of Cairo, Illinois, and M. C. Anderson, of Ballard County, Kentucky. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within thirty days after the approval of this Act by filing in the office of the Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Secretary of Agriculture. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this Act. Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Sec. 9. The Commission shall have no capital stock or shares of no shares of interest, interest or participation, and all revenues and receipts thereof shall etc. be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the Commission, but the maximum compensation of the Chairman in any year shall not exceed \$2,500 and of each other member shall not exceed \$500. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they ices may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses

Corporate powers.

Duties.

Vacancies.

Bonds required.

Chairman, etc.

Per diem compensa-tion; maximum.

Travel expenses.

Other personal serv-

Dissolution on completing obligations.

shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Illinois interests and the Kentucky interests as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Cairo, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Cairo, and a newspaper published in Ballard County, Kentucky. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said Illinois interests and the other to said Kentucky interests.

Division of moneys in hand.

Limitation on creating obligations, etc.

Sec. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this Act. No obligation created or liability incurred pursuant to this Act shall be an obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Penal provisions.

Sec. 11. All provisions of this Act may be enforced, or the violation thereof prevented, by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of Illinois, the attorney general for the Commonwealth of Kentucky, or the United States district attorney for any district in which the bridge may be located in part, in any court having competent jurisdiction of the subject matter and of the parties.

Amendment.

SEC. 12. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 13, 1934.

[CHAPTER 118.]

AN ACT

April 13, 1934. [S. 2689.] [Public, No. 157.]

To authorize the Department of Labor to make special statistical studies upon payment of the cost thereof, and for other purposes.

Payment of cost.

Credit of receipts.

Be it enacted by the Senate and House of Representatives of the Department of La United States of America in Congress assembled, That the Depart-Special statistical ment of Labor be, and hereby is, authorized, within the discretion studies, etc., upon request, authorized.

Ontitle States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of America in Congress assembled, That the Department of States of Congress assembled, That the Department of States of Congress assembled, That the Department of States of Congress assembled, That the Department of Congress as a c to make special statistical studies relating to employment, hours of work, wages, and other conditions of employment; to prepare from its records special statistical compilations; and to furnish transcripts of its studies, tables, and other records, upon the payment of the actual cost of such work by the person requesting it.

Sec. 2. All moneys hereinafter received by the Department of Labor in payment of the cost of such work shall be deposited to the credit of the appropriation of that bureau, service, office, division, or other agency of the Department of Labor which supervised such work, and may be used, in the discretion of the Secretary of Labor, and notwithstanding any other provision of law, for the ordinary expenses of such agency and/or to secure the special services of persons who are neither officers nor employees of the United

Sec. 3. The Secretary of Labor shall prescribe rules and regulations for the enforcement of this Act; and the Secretary of Labor shall make a report to Congress, at the beginning of each regular session, giving a detailed statement showing (1) the name of every person for whom work has been performed under the authority of this statute, (2) the nature of the services rendered to him, (3) the price charged for these services by the Department of Labor, and ined. Vol. 39, p. 1106, mod-(4) the manner in which the moneys received were deposited or used.

Sec. 4. This Act shall cease to be effective one year after the date

of its enactment.

Approved, April 13, 1934.

[CHAPTER 119.]

AN ACT

To repeal an Act of Congress entitled "An Act to prohibit the manufacture or sale of alcoholic liquors in the Territory of Alaska, and for other purposes", approved February 14, 1917, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to prohibit the manufacture or sale of 1917, repealed." Vol. 39, p. 903. alcoholic liquors in the Territory of Alaska, and for other purposes" approved February 14, 1917, contained in United States Statutes at Large, volume 39, Public Laws, pages, 903 to 909, is repealed. at Large, volume 39, Public Laws, pages, 903 to 909, is repealed. Repeal of certain provisions of National Title II of the National Prohibition Act, as amended and supplemented, and the Act entitled "An Act to provide revenue by the 42, p. 223; Ante, p. 16. taxation of certain nonintoxicating liquor, and for other purposes", U.S.C., pp. 853, 1583. taxation of certain nonintoxicating liquor, and for other purposes" approved March 22, 1933, except such provisions of such title and of such Act of March 22, 1933, as shall be retained in force and effect in the States, are repealed to the extent such title and such Act of March 22, 1933, are in force and effect in the Territory of

Alaska. Sec. 2. That notwithstanding the repeal of the said Acts no Regulations govern-spirituous or intoxicating liquors shall be manufactured or sold in sale of liquors. the Territory of Alaska, except under such regulations and restrictions as the Territorial Legislature shall prescribe, and the legislative power and authority conferred upon the Legislative Assembly of the Territory of Alaska by the Act of Congress entitled "An Act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes", approved August 24, 1912, shall be, and hereby is, extended to include any legislation pertaining to the manufacture or sale of spirituous or intoxicating liquor within the said Territory, and any provision contained in the said Act of August 24, 1912, in conflict herewith, is hereby expressly repealed: Provided, however, That the Legislature of the Territory of Alaska shall have full power and authority to delegate the powers hereby conferred to any board or commission designated or created by the legislature for such purpose, which powers shall include the power to make rules and regulations governing the manufacture, barter, sale, or possession of spirituous or intoxicating liquors in the Territory of Alaska, to prescribe the qualifications of those who are to engage in the manufacture, barter, sale, or possession of intoxicating liquors in the said Territory, and to prescribe license fees and excise taxes therefor: *Provided*, That nothing in this Act enue laws not affected. shall in any way repeal, conflict, or interfere with the public general laws of the United States imposing taxes on the manufacture and

Rules, etc., to be prescribed.

Report to Congress.

Duration of Act.

April 13, 1934. [S. 2729] [Public, No. 158.]

Legislative powers

Provisos Delegation of powers.

sale of intoxicating liquors for the purpose of revenue and known as the "internal revenue laws."

Territorial act creating liquor control board, etc., approved.

Penalty provisions.

SEC. 3. That the act of the Territorial Legislature of Alaska entitled "An act to create the board of liquor control and prescribe its powers and duties", approved May 4, 1933, contained in the Session Laws of Alaska, 1933, being chapter 109 thereof, at pages 193-194, be, and the same hereby is, ratified and approved, and the board thereby created shall have the powers and the authority conferred upon it by the said act. And any person, firm, or corporation, who shall violate any of the rules or regulations prescribed by the said board governing the manufacture, sale, barter, and possession of intoxicating liquors in the Territory of Alaska, or the qualifications of those engaging in the manufacture, sale, barter, and possession of such liquors in the said Territory, or the payment of license fees and excise taxes therefor, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided

Designated provisions repealed. Vol. 30, pp. 1337-1341; Vol. 31, p. 332; Vol. 35, pp. 601-603.

Liability clause. R.S., sec. 13, p. 2.

in section 2072 of the Compiled Laws of Alaska.

Sec. 4. That sections 462 to 478, both inclusive, of Act of Congress entitled "An Act to define and punish crime in the District of Alaska and to provide a code of criminal procedure for said district" approved March 3, 1899 (30 Stat.L. 1337-1341), as amended by the Act of June 6, 1900 (31 Stat.L. 332), and by the Act of February 6, 1909 (35 Stat.L. 601-603), be, and the same hereby are, repealed.

SEC. 5. Section 13 of the Revised Statutes (U.S.C., title 1, sec. 29) shall not apply with respect to any penalty, forfeiture, or liability incurred under any provision repealed by this Act.

Approved, April 13, 1934.

[CHAPTER 120.]

AN ACT

April 13, 1934. [H.R. 6525.] [Public, No. 159.]

To amend the Act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930.

Terms defined. "Dealer." Exceptions.

Canners or processors buying commodity within State where grown.

Licensing of persons within, exceptions.

"In carloads."

Be it enacted by the Senate and House of Representatives of the Perishable Agricultural Commodities Act amendments.
U.S.C., Supp. VII, approved June 10, 1930, be, and hereby is, amended as hereinafter set forth:

That subsection 6 of section 1 of the Perishable Agricultural Com-

modities Act, 1930, is hereby amended to read as follows:

"(6) The term 'dealer' means any person engaged in the business of buying or selling in carloads any perishable agricultural commodity in interstate or foreign commerce, except that (A) no producer shall be considered as a 'dealer' in respect of sales of any such commodity of his own raising; (B) no person buying any such commodity solely for sale at retail shall be considered as a 'dealer' in respect of any such commodity in any calendar year until his purchases of such commodity in carloads in such year are in excess of twenty; and (C) no person buying any such commodity for canning and/or processing within the State where grown shall be considered a 'dealer' whether or not the canned or processed product is to be shipped in interstate or foreign commerce. Any person not considered as a 'dealer' under clauses (A), (B), and (C) may elect to secure a license under the provisions of section 3, and in such case and while the license is in effect such person shall be considered as a 'dealer.' As used in this paragraph, the term 'in carloads' includes wholesale or jobbing quantities as defined for any such commodity by the Secretary;"

Sec. 2. That subsection 2 of section 2 of the Perishable Agricultural Commodities Act, 1930, is hereby amended to read as follows:

"(2) For any dealer to reject or fail to deliver in accordance with to consign, etc., goods, the terms of the contract without reasonable cause any perishable added. agricultural commodity bought or sold or contracted to be bought, sold, or consigned in interstate or foreign commerce by such dealer:" dealer;"

SEC. 3. That subsection 4 of section 2 of the Perishable Agricul-tural Commodities Act, 1930, is hereby amended to read as follows: False statements condi-tural Commodities Act, 1930, is hereby amended to read as follows:

"(4) For any commission merchant, dealer, or broker to make, for a fraudulent purpose, any false or misleading statement in connection with any transaction involving or concerning the condition of the market for any perishable agricultural commodity which is received in interstate or foreign commerce by such commission merchant, or bought or sold, or contracted to be bought, sold, or consigned in such commerce by such dealer; or the purchase or sale of which in such commerce is negotiated by such broker; or to fail or refuse truly and correctly to account promptly in respect of any such transaction in any such commodity to the person with whom such transaction is had;"

Sec. 4. That paragraph (b) of section 4 of the Perishable Agri-

cultural Commodities Act, 1930, is hereby amended to read as follows:

"(b) The Secretary shall refuse to issue a license to an applicant if he finds (1) that the applicant has previously, at any time within two years, been responsible in whole or in part for any violation of the provisions of section 2 for which a license of the applicant, or the license of any partnership, association, or corporation in which the applicant held any office, or, in the case of a partnership, had any share or interest, was revoked, or (2) if he finds after notice and hearing that at any time within two years said applicant was violations. responsible in whole or in part for any flagrant or repeated violations. tions of the provisions of section 2, or (3) in case the applicant is a Member in a part-partnership, association, or corporation, that any individual hold-unlawful act, revoking ing any office or, in the case of a partnership, having any interest or license. share in the applicant, had previously, at any time within two years, been responsible in whole or in part for any violations of the provisions of section 2 for which the license of such individual, or of tailed to pay an output of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual, or of the provisions of section 2 for which the license of such individual and the provisions of t any partnership, association, or corporation in which such person standing reparation held any office, or, in the case of a partnership, had any share or award interest, was revoked, or if he finds after notice and hearing that at any time within two years said applicant was responsible in whole or in part for any flagrant or repeated violations of the provisions of section 2, or (4) that the applicant, subject to his right of appeal under section 7(b), has failed, except in case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office, or, in case the applicant is a partnership, association, or corporation, that any individual holding any office, or in the case of a partnership, having any interest or share in the applicant, subject to his right of appeal under section 7(b), has failed, except in the case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office. Notwithstanding the suspended and license foregoing provisions, the Secretary, in the case of such applicant, granted, if bond furmay issue a license if the applicant furnishes a bond or other satisduct, etc. factory assurance that his business will be conducted in accordance

Unfair conduct.

Causes for license refusal.

Previous offense.

Time limitation.

with the provisions of this Act, and that he will pay all reparation orders which may previously have been issued against him for violations, or which may be issued against him within two years following the date of the license, subject to his right of appeal under section 7(b), but such license shall not be issued before the expiration of one year from the date of such revocation, or from the date of the Secretary's finding that applicant has been responsible, in whole or in part, for any flagrant or repeated violation of section 2;"

SEC. 5. That a new paragraph lettered (c) and reading as follows is hereby added to section 4 of the Perishable Agricultural Com-

modities Act, 1930:

Attempted evasion by employing a re-jected applicant, etc.

"(c) The Secretary may, after thirty days' notice and an opportunity for a hearing, revoke the license of any commission merchant, dealer, or broker, who after the date given in such notice continues to employ in any responsible position any individual whose license was revoked or who was responsibly connected with any firm, partnership, association, or corporation whose license has been revoked Waiver after one within one year prior to the date of such notice. Employment of such individual by a licensee in any responsible position after one year following the revocation of any such license shall be conditioned upon the filing by the employing licensee of a bond or other satisfactory assurance that its business will be conducted in accordance with the provisions of this Act;"

SEC. 6. That a new paragraph lettered (d) and reading as follows is hereby added to section 4 of the Perishable Agricultural

Commodities Act, 1930:

License may be with-held temporarily pending investigation.

Hearing.

If application contains false, etc., state-

License may be re-voked if found falsely

"(d) The Secretary may withhold the issuance of a license to an applicant, for a period not to exceed thirty days pending investigation, if the Secretary believes that the application contains any material false or misleading statement or involves misrepresentation, concealment or withholding of facts respecting any violation of the Act by any officer, agent, or employee. If, after investigation, the Secretary believes that the applicant should be refused a license, the applicant shall be given an opportunity for a hearing within sixty days from the date of the application to show cause why a license should not be refused. If after hearing the Secretary finds that the application contains a material false or misleading statement made by the applicant or by its representative on its behalf or involves a misrepresentation, concealment or withholding of facts respecting any violation of the Act by any officer, agent, or employee, the Secretary shall refuse to issue a license to the applicant."

SEC. 7. That a new paragraph lettered (e) and reading as follows is hereby added to section 4 of the Perishable Agricultural

Commodities Act, 1930:

"(e) If, after a license shall have been issued to an applicant, the Secretary believes that the license was obtained through a false or misleading statement in the application therefor or through a misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee, he may, after thirty days' notice and an opportunity for a hearing, revoke said license, whereupon no license shall be issued to said applicant or any applicant in which the person responsible for such false or misleading statement or misrepresentation, concealment, or withholding of facts is financially interested, except under the conditions set forth in paragraph (b) of this section."

Sec. 8. That paragraph (c) of section 6 of the Perishable Agricultural Commodities Act, 1930, is hereby amended to read as

follows:

"(c) If there appear to be, in the opinion of the Secretary, any complaint and investigation." reasonable grounds for investigating any complaint made under this section, the Secretary shall investigate such complaint and may, if in his opinion the facts warrant such action, have said complaint served by registered mail or otherwise on the person concerned and afford such person an opportunity for a hearing thereon before a duly authorized examiner of the Secretary in any place in which the said person is engaged in business: *Provided*, That in complaints the said person is engaged in business: Provided, That in complaints wherein the amount claimed as damages does not exceed the sum damage does not exceed the sum damage does not exceed the sum damage does not exceed \$500 a hearing need not be held and proof in support of the complexition, where ded \$500 a hearing need not be held and proof in support of the complexition, etc., in plaint and in support of respondent's answer may be supplied in the lieu. form of depositions or verified statements of fact "

SEC. 9. That paragraph (d) of section 6 of the Perishable Agricultural Commodities Act, 1930, is hereby amended to read as

follows:

"(d) After opportunity for hearing on complaints where the dam- Determination by Secretary. ages claimed exceed the sum of \$500 has been provided or waived and on complaints where damages claimed do not exceed the sum of \$500 not requiring hearing as provided herein, the Secretary shall determine whether or not the commission merchant, dealer, or broker has violated any provision of section 2;"

SEC. 10. That paragraph (e) of section 6 of the Perishable Agricultural Commodities Act, 1930, is hereby amended to read as

"(e) In case a complaint is made by a nonresident of the United States, the complainant shall be required, before any formal action is taken on his complaint, to furnish a bond in double the amount of the claim conditioned upon the payment of costs, including a reasonable attorney's fee for the respondent if the respondent shall prevail:"

Sec. 11. That paragraph (b) of section 7 of the Perishable Agricultural Commodities Act, 1930, is hereby amended to read as

"(b) If any commission merchant, dealer, or broker does not Reparation order; comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may within one year of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the commission merchant, dealer, or broker, or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. The orders, writs, and processes of the district courts may in these cases run, be served, and be returnable anywhere in the United States. Such suit in the district court shall proceed in all respects like other civil suits for damages except that the findings and orders of the Secretary shall be prima-facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court nor for costs at any subsequent state of the proceedings unless they accrue upon his appeal. If the petitioner finally prevails, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit;

SEC. 12. That a new paragraph lettered (c) and reading as follows is hereby added to section 7 of the Perishable Agricultural

Commodities Act, 1930:

"(c) Either party adversely affected by the entry of a reparation Reparation awards. Provisions concern-order by the Secretary may, within thirty days from and after the ing appeals. date of such order, appeal therefrom to the district court of the

Service and hearing.

Complaint by non-

Bond required.

Venue of action.

Jurisdiction of dis-trict courts.

Attorney's fee.

United States for the district in which said hearing was held. Such appeal shall be perfected by the filing of a notice thereof together with a petition in duplicate which shall recite prior proceedings before the Secretary, and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with the clerk of said court with proof of service thereof upon the adverse party. The clerk of court shall immediately forward a copy thereof to the Secretary of Agriculture, who shall forthwith prepare, certify, and file in said court a true copy of the Secretary's decision, findings of fact, conclusions, and order in said case, together with copies of the pleadings upon which the case was heard and submitted to the Secretary. Such suit in the district court shall be a trial de novo and shall proceed in all respects like other civil suits for damages, except that the findings of fact and order or orders of the Secretary shall be primafacie evidence of the facts therein stated. Appellee shall not be liable for costs in said court and if appellee prevails he shall be allowed a reasonable attorney's fee to be taxed and collected as a part of his costs. Such petition and pleadings certified by the Secretary upon which decision was made by him shall upon filing in the district court constitute the pleadings upon which said trial de novo shall proceed subject to any amendment allowed in that court;"

Court costs, attorney's fee, etc.

SEC. 13. That a new paragraph lettered (d) and reading as follows is hereby added to section 7 of the Perishable Agricultural Commodities Act, 1930:

If appeal not taken in 5 days or payment made, license to automatically suspend.

"(d) Unless the licensee against whom a reparation order has been issued shows to the satisfaction of the Secretary within five days from the expiration of the period allowed for compliance with such order that he has either taken an appeal as herein authorized or has made payment in full as required by such order his license shall be suspended automatically at the expiration of such five-day period until he shows to the satisfaction of the Secretary that he has paid the amount therein specified with interest thereon to date of payment;"

Sec. 14. That a new paragraph lettered (b) and reading as follows is hereby added to section 8 of the Perishable Agricultural

Commodities Act, 1930:

Injunction to restrain defendant from engaging in business.

"(b) In addition to being subject to the penalties provided by section 3 (a) of this Act, any commission merchant, dealer, or broker, who engages in or operates such business without an unsuspended and unrevoked license from the Secretary, shall be liable to be proceeded against in any court of competent jurisdiction in a suit by the United States for an injunction to restrain such defendant from further continuing so to engage in or operate such business, and, if the court shall find that the defendant is continuing to engage in such business without an unsuspended and unrevoked license, the court shall issue an injunction to restrain such defendant from continuing to engage in or to operate such business without such license."

Sec. 15. That section 14 of the Perishable Agricultural Commodi-

ties Act, 1930, is hereby amended to read as follows:

Inspectors authorized to certify condition of commodities.

"Sec. 14. The Secretary is hereby authorized, independently and in cooperation with other branches of the Government, State, or municipal agencies, and/or any person, whether operating in one or more jurisdictions, to employ and/or license inspectors to inspect and certify, without regard to the filing of a complaint under this Act, to any interested person the class, quality and/or condition of any lot of any perishable agricultural commodity when offered for interstate or foreign shipment or when received at places where the Secretary shall find it practicable to provide such service, under such

Payment for serv-

rules and regulations as he may prescribe, including the payment of such fees and expenses as will be reasonable and as nearly as may pe cover the cost for the service rendered: Provided, That fees for Disposition of inspections made by a licensed inspector, less the percentage thereof tors' collections. Which he is allowed by the towns of the percentage thereof tors' collections. which he is allowed by the terms of his contract of employment with the Secretary as compensation for his services, shall be deposited into the Treasury of the United States as miscellaneous receipts; and fees for inspections made by an inspector acting under a cooperative agreement with a State, municipality, or other person shall be disposed of in accordance with the terms of such agreement: Provided Inspector's travel expenses. further, That expenses for travel and subsistence incurred by inspectors shall be paid by the applicant for inspection to the disbursing clerk of the United States Department of Agriculture to be credited to the appropriation for carrying out the purposes of this Act: And Inspection certificates to be prima-facile provided further, That certificates issued by such inspectors shall evidence in U.S. courts. be received in all courts of the United States and in all proceedings under this Act as prima-facie evidence of the truth of the statements therein contained."

Approved, April 13, 1934.

[CHAPTER 121.]

AN ACT

Authorizing the Reconstruction Finance Corporation to make loans to nonprofit corporations for the repair of damages caused by floods or other catastrophes, and for other purposes.

April 13, 1934, [H.R. 7599.] [Public, No. 160.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Reconstruction Finance Corporation is authorized and empowered, through such existing agency or agencies as it may designate, to nonprofit corporations. make loans to nonprofit corporations, with or without capital stock, organized for the purpose of financing the acquisition of home or building sites in replacement of sites formerly occupied by buildings where such sites are declared by public authority to be unsafe by reason of flood, danger of flood, or earthquake, and for the purpose of financing the repair or construction of buildings or structures, or water, irrigation, gas, electric, sewer, drainage, flood-control, communication, or transportation systems, damaged or destroyed by earthquake, conflagration, tornado, cyclone, or flood in the year 1933, and in the months of January and February 1934, and deemed by the Reconstruction Finance Corporation to be economically useful or necessary.

Obligations accepted hereunder shall be collateraled—

(a) In case of loans for the acquisition, repair, or reconstruction of private property, by the obligations of the owner of such property, secured by a paramount lien except as to taxes and special assessments on the property to be acquired, repaired, or reconstructed, or on other property of the borrowers;

(b) In case of loans for the repair or reconstruction of privately public utilities, etc. owned water, gas, electric, communication, or transportation systems, by the obligations of the owners of such water, gas, electric, communication, or transportation systems, secured by a lien thereon; and

(c) In case of loans for the repair or reconstruction of property of municipalities or political subdivisions of States or of their public agencies, including public-school boards and public-school districts, and water, irrigation, sewer, drainage, and flood-control districts, by an obligation of such municipality, political subdivision, public agency, board, or district, payable from any source, including taxation or tax-anticipation warrants.

Collateral obliga-Loans on private

Loans for replace-ment of land rendered unsafe by flood, etc.

Condition.

Maturities.

In any case in which any such loan is made, in whole or in part, for the acquisition of land in replacement of land privately owned and declared by public authority to be unsafe by reason of flood, danger of flood, or earthquake, such unsafe property shall be conveyed by the owner thereof, without cost, to the county, municipality, or district in which such property is situated.

Aid not denied because of legal, etc., inhibitions.

The corporation shall not deny otherwise acceptable applications for loans for repair or reconstruction of buildings or structures, or water, irrigation, gas, electric, sewer, drainage, flood control, communication, or transportation systems of municipalities, political subdivisions, public agencies, boards, or districts because of constitutional or other legal inhibitions affecting the collateral. The collateral obligations shall have maturities not exceeding ten years in case of loans made under paragraph (a) of this Act and not exceeding twenty years in case of loans under paragraphs (b) and (c) of this Act.

Rules to be prescribed.

The corporation shall prescribe such regulations as will most effectively expedite the repair and construction provided for by this Act and effectively carry out the emergency-relief purposes of this Act.

Aggregate authorized. amount

The aggregate of loans made under this Act shall not exceed \$5,000,000.

Approved, April 13, 1934.

[CHAPTER 138.]

AN ACT

April 14, 1934. [S. 1983.] [Public, No. 161.]

To authorize the revision of the boundaries of the Fremont National Forest in the State of Oregon.

Fremont National Forest, Oreg. Boundaries revised.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and hereby is, authorized to revise the boundaries of the Fremont National Forest in the State of Oregon so as to include within that national forest, subject to valid existing claims, such lands within the State of Oregon as he considers desirable for the production of timber, the protection of stream flow, and/or the regulation and improvement of the grazing resources:

Provises. Provided, That the boundaries of said national forest shall not be extended more than six miles from the present boundaries thereof or from the north boundary of the Modoc National Forest: And provided further, That the lands of the United States which may be given a national-forest status under the provisions of this Act shall not exceed two hundred and fifty thousand acres. All lands included within the boundaries of the Fremont National Forest under authority of this Act shall thereupon become subject to all laws relating to the national forests.

Administrative provisions.

Area under national forest status.

Approved, April 14, 1934.

[CHAPTER 139.]

AN ACT

April 14, 1934. [S. 3209.] [Public, No. 162.]

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in the case of United States of America against Weirton Steel Company and other

Weirton Steel Com-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in pany, etc. Operation of existing sections 109 and 113 of an Act entitled "An Act to codify, revise, and law waived with respect to counsel in pros- amend the penal laws of the United States", approved March 4, ecuting case against. Vol. 35, pp. 1107, 1109. 1909, as amended (U.S.C., title 18, secs. 198 and 203), or in section

U.S.C., pp. 474, 475. R.S., sec. 190, p. 30. U.S.C., p. 35.

190 of the Revised Statutes of the United States (U.S.C., title 5, sec. 99), or in any other Act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to attorneys or counselors to be specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of the case of United States of America against Weirton Steel Company, and/or any other case or cases, civil or criminal, involving said company, its officers or agents, arising under the National Industrial Recovery Act or any code of fair competition adopted pursuant thereto.

Approved, April 14, 1934.

[CHAPTER 140.]

JOINT RESOLUTION

Authorizing necessary funds to conduct investigation regarding rates charged for electrical energy and to prepare report thereon.

April 14, 1934. [S.J.Res. 74.] [Pub. Res., No. 18.]

Whereas accurate and comprehensive information regarding the rates charged for electrical energy and its service to residential, rural, commercial, and industrial consumers throughout the United States is required by the Congress and other governmental agencies; and

Electrical energy.

Whereas no compilation of such rates and charges has been made by any official body: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Power Commission be, and it is hereby authorized and directed to investi- mission directed. gate and compile the rate charged for electric energy and its service to residential, rural, commercial, and industrial consumers throughout the United States by private and municipal corporations and to report such rates, together with an analysis thereof, to the Congress at the earliest practicable date.

Rate investigation by ederal Power Com-

Report to Congress.

Power Commission is authorized and directed to utilize, as far as to be utilized.

may be practicable, information relating to electric to alacted. may be practicable, information relating to electric rates and rate

schedules filed with the public service commissions of the several States and shall have power to require, by general or special orders, corporations engaged in the sale of electricity to file with the Commission, in such form as the Commission may prescribe, schedules of ing of rate schedules, rates charged to all classes of consumers and to submit to the Comreports, and answers. mission reports, or answers in writing to specific questions, furnishing such information as the Commission may require relative to the sale of electrical energy and its service to consumers. Such reports and answers shall be made under oath, or otherwise, as the Commission may prescribe, and shall be filed with the Commission within such reasonable period as the Commission may prescribe, unless additional time be granted in any case by the Commission. The Commission, or its duly authorized agent, or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence relative to the sale of electrical energy or its service to consumers by any corporation

Other information.

Examination of records of sales, etc.

engaged in the sale of electricity. Sec. 3. That the President of the United States is hereby authorized to make available from the funds which have been or may be

Funds available for

appropriated for expenditure subject to his discretion the amount which, in his judgment, is necessary for the purposes of this investigation and preparation of a report.

Approved, April 14, 1934.

[CHAPTER 143.]

AN ACT

April 16, 1934. [S. 193.] [Public, No. 163.]

To amend section 586c of the Act entitled "An Act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions", approved March 2, 1929.

Code amendment. Vol. 45, p. 1504.

Be it enacted by the Senate and House of Representatives of the District of Columbia ode amendment. Vol. 45, p. 1504.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 586c of the Act entitled "An Act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degreeconferring institutions", approved March 2, 1929, be, and the same is hereby, amended by adding at the end of such section the follow-Degree conferring in ing: "Provided, That no institution heretofore incorporated under stitutions maintained the provisions of this Act, and carrying on its work exclusively in abroad.

Restriction on use of any foreign country with the consent and approval of the Government thereof, shall if otherwise entitled to be licensed by the Board ment thereof, shall if otherwise entitled to be licensed by the Board. of Education, be denied the same solely because of the inclusion in its name and as descriptive of its origin of any of the specific words the use of which is by this section forbidden to incorporations under the provisions of this Act."

Approved, April 16, 1934.

[CHAPTER 144.]

AN ACT

April 16, 1934. [S. 1820.] [Public, No. 164.]

To amend the Code of Law for the District of Columbia. Be it enacted by the Senate and House of Representatives of the

District of Columbia Code amendment.
Compensation insurCompensation insurof chapter XVIII of the Code of Law for the District of Columbia ance regulation.

be amended by adding thereto a new paragraph reading as follows:

Rates, etc., to be filed with Superintendent of Insurance.

Approval required.

Petition for review.

Time for filing.

be amended by adding thereto a new paragraph reading as follows: "Every insurance corporation or association authorized to transact business in the District of Columbia, which insures employers against liability for compensation under the Employees' Compensation Act, shall file with the Superintendent of Insurance its manual of classifications and underwriting rules, together with basic rates for each class, and also merit rating plans designed to modify the class rates, none of which shall take effect until the Superintendent of Insurance shall have approved the same as adequate and reasonable for withdrawal of apt the group of risks to which they respectively apply. The Superintendent of Insurance may withdraw his approval of any premium rate or schedule made by any insurance corporation or association, if, in his judgment, such premium rate or schedule is inadequate or unreasonable: *Provided*, That upon petition of the company or association or any other party aggrieved the opinion of the Superintendent of Insurance shall be subject to review by the Supreme Court of the District of Columbia: Provided further, That any petition for review shall be filed with said court within thirty days after the rendition of opinion by the Superintendent of Insurance."

Approved, April 16, 1934.

[CHAPTER 145.]

AN ACT

To amend an Act entitled "An Act to incorporate the Mutual Fire Insurance Company of the District of Columbia", as amended.

April 16, 1934. [S. 2857.] [Public, No. 165.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 2 to ance Company of the Act entitled "An Act to incorporate the Mutual Fire Insurance Company of the District of Columbia", approved January 10, 1855 (10 Stat. 836), as amended April 12, 1866 (14 Stat. 32, ¹½, p. 32; Vol. 16, p. 80; ch. 41), March 25, 1870 (16 Stat. 80, ch. 35), June 14, 1878 (20 p. 135, amended. Stat. 132, ch. 195), and July 5, 1884 (23 Stat. 155, ch. 233), are hereby amended to read as follows:

hereby amended to read as follows:

Purpose and designs.

Sec. 2. The purpose and designs of this corporation shall be to insure the property of the members thereof against loss or damage by fire, lightning, sprinkler leakage, cyclone, tornado, windstorm, and hail; to insure glass against breakage; to insure the loss of use and occupancy and rents of buildings when such loss is caused by fire, lightning, cyclone, tornado, windstorm, and hail; to insure automobiles and other vehicles, and other property, against loss or damage by fire, theft, transportation, explosion, and collision; to insure against the loss of property by burglary, theft, robbery, larceny, and forgery; to insure against loss or damage by any other hazard upon any risk which is not prohibited by statute or at common law from being the subject of insurance by a fire-insurance company but not including loss or damage by reason of bodily injury to the person, nor shall such corporation do a life-insurance or fidelity or surety business; and to cede and accept reinsurance upon the whole or any part of any risk; and to have and exercise all the general powers of corporations organized under the laws of the District of Columbia, insofar as they relate to mutual fire-insurance companies: Provided, however, That said corporation To continue a mutual forever be conducted for the mutual benefit of its members, ual, nonprofit corporation.

Provises.

To continue a mutual, nonprofit corporation to the District to the Dist and not for profit; and, as to its business transacted in the District of Columbia or in any State or other jurisdiction in which it is licensed, shall be subject to all laws of such District, State, or other jurisdiction governing mutual fire-insurance companies.

"Sec. 3. The policies hereafter issued by said corporation shall

provide for a premium or premium deposit payable in cash without premium note, and, except as herein provided, for a contingent premium at least equal to the premium or premium deposit: Pro-vided, That said corporation may issue policies without additional out additional contingent liability of its members whenever it has a surplus of gent liability.

Premium payments.

assets over all its liabilities of \$100,000, or more.

"Sec. 4. All persons who shall hereafter insure with said cor- Policy holders; who poration; and their heirs, executors, administrators, and assigns continuing to be insured by said corporation, shall thereby become members thereof during the period they shall remain insured by said corporation and no longer. Any public or private corporation, board, association, or estate may hold policies in the corporation. Any officer, director, trustee, or legal representative of such corporation, board, association, or estate may be recognized as acting for or on its behalf for the purpose of membership in this corporation, but shall not be personally liable upon such contract of insurance by reason of acting in such representative capacity. right of any corporation, board, association, or estate to participate as a member of this corporation is hereby declared to be incidental to the purpose for which such corporation, board, association, or estate is organized and as much granted as the rights and powers expressly conferred.

Officers of, as agents

Meetings.

"Sec. 5. The annual meeting of the members of said corporation shall be held at such time and place as provided in the bylaws. It shall be the duty of the president to call a special meeting of the corporation upon the written request of twenty members. Each member shall have one vote for each risk held by him on all matters properly before any meeting of the members.

"Sec. 6. The affairs of said corporation shall be conducted by a

Board of directors.

board consisting of seven directors or such greater number as may be authorized by the bylaws, selected from the members, to be elected by ballot at annual meetings of the members, for terms not exceeding three years, as fixed by the bylaws, and to continue in office until their successors are chosen. The board of directors shall have full power to make and prescribe such bylaws, rules, and regulations as they shall deem needful and proper for the elections herein provided and for the conduct and management of the business, funds, property, and effects of the company, not contrary to this Act or to the laws of the United States, and they shall have power to alter or amend the same as the interests of the company, in their opinion, may require. Not less than a majority of the directors shall be a quorum to do business, but a less number may adjourn from time to time. Vacancies happening in the board may be filled by the remaining directors for the remainder of the term for which they were elected. The board shall choose one of their number as president, and appoint a secretary and treasurer and such other officers as may be necessary for conducting the affairs of said corporation. The persons now acting as managers shall continue as the board of directors until the next annual meeting after the passage of this Act, and thereafter until their successors are duly

Bylaws, etc.

Quorum.
Vacancies.

Officers.

Investments, etc., authorized.

Vested rights, etc.

Amendment.

Amenament.

Vol. 10, pp. 837-838; Vol. 14, p. 32; Vol. 16, p. 80; Vol. 20, p. 132, repealed.

"Sec. 7. It shall be lawful for said company to invest and reinvest all moneys received by it in such manner, consistent with the laws of the District of Columbia relating to mutual fire-insurance companies, as the directors deem best for the interests of the company, and to acquire, hold, and sell real estate necessary or convenient for the transaction of its corporate business.

"Sec. 8. Nothing herein contained shall be construed to affect or impair in any manner whatsoever any vested right or interest in or under any existing contract of the company.

"Sec. 9. The right to alter, amend, or repeal this Act is hereby

expressly reserved."

Sec. 2. Sections 10 to 16, inclusive, of the said Act of January 10, 1855 (10 Stat. 836), as amended April 12, 1866 (14 Stat. 32), March 25, 1870 (16 Stat. 80), June 14, 1878 (20 Stat. 132), and July 5, 1884 (23 Stat. 155), and said Act of July 5, 1884 (23 Stat. 155), are hereby repealed.

Approved, April 16, 1934.

[CHAPTER 146.]

AN ACT

April 16, 1934. [S. 3022.] [Public, No. 166.]

To amend sections 3 and 4 of an Act of Congress entitled "An Act for the protection and regulation of the fisheries of Alaska", approved June 26, 1906, as amended by the Act of Congress approved June 6, 1924, and for other purposes.

Alaskan fisheries. Vol. 34, p. 479; Vol. 43, p. 465, amended. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of Congress entitled "An Act for the protection and regulation of the fisheries of Alaska", approved June 26, 1906, as amended by the Act of Congress entitled "An Act for the protection

of the fisheries of Alaska, and for other purposes", approved June 6, 1924, be, and the same is hereby, amended to read as follows:

"Sec. 3. That it shall be unlawful to erect or maintain any dam, Restriction on use of barricade, fence, trap, fishwheel, or other fixed or stationary obstructions for taking salmon." tion except for purposes of fish culture, in any of the waters of Alaska at any point where the distance from shore to shore is less than one thousand feet, or within five hundred yards of the mouth of any creek, stream, or river into which salmon run, excepting the Certain rivers ex-Karluk, Ugashik, Kuskokwim, and Yukon Rivers, with the purpose cepted. or result of capturing salmon or preventing or impeding their ascent to the spawning grounds, and the Secretary of Commerce is hereby authorized and directed to have any and all such unlawful obstructions removed or destroyed: Provided, however, That the exception Provisos. Exception solely for hereinabove contained with reference to the Kuskokwim and Yukon benefit of natives. Rivers shall be solely for the purpose of enabling native Indians and bona fide permanent white inhabitants along the said rivers to take from said rivers for commercial purposes and for export from for commercial purposes and for export from the Territory of Alaska king salmon in such manner and such quanposes under regulations. tities, and at such times as the Secretary of Commerce may, by suitable regulations, from time to time permit: Provided further, Persons classed as That no person shall be deemed to be a bona fide permanent inhabi- and native Indians. tant of the said rivers who has not resided thereon, or within fifty miles thereof for a period of over one year, and that the term 'native Indians' as used herein shall be taken to mean members of the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood. For the etc., to be determined. purposes of this section, the mouth of such creek, stream, or river shall be taken to be the point determined as such mouth by the Secretary of Commerce and marked in accordance with this determination. It shall be unlawful to lay or set any seine or net of laying seines, etc. any kind within one hundred yards of any other seine, net, or other fishing appliance which is being or which has been laid or set in any of the waters of Alaska, or to drive or to construct any trap or any other fixed fishing appliance within six hundred vards laterally or within one hundred yards endwise of any other trap or fixed fishing appliance."

SEC. 2. That section 4 of the Act of Congress entitled "An Act 43, p. 466, amended." for the protection and regulation of the fisheries of Alaska", approved June 26, 1906, as amended by the Act of Congress entitled "An Act for the protection of the fisheries of Alaska, and for other purposes", approved June 6, 1924, be, and the same hereby is,

amended to read as follows:

"Sec. 4. That it shall be unlawful to fish for, take, or kill any Fishing, except by salmon of any species or by any means except by hand rod, spear, mouth of stream, etc., or gaff in any of the creeks, streams, or rivers of Alaska; or within five hundred yards of the mouth of any such creek, stream, or river over which the United States has jurisdiction, excepting the Karluk, Ugashik, Yukon, and Kuskokwim Rivers: Provided, That nothing For local food, etc., herein contained shall prevent the taking of fish for local food excluded. requirements or for use as dog feed: Provided further, That the commercial fishing exception hereinabove contained with reference to the Kuskokwim by natives, etc., in designated waters. and Yukon Rivers shall be solely for the purpose of enabling native Indians and bona fide permanent white inhabitants along the said rivers to take from said rivers for commercial purposes and for export from the Territory of Alaska king salmon in such manner and such quantities, and at such times as the Secretary of Commerce may, by suitable regulations, from time to time permit: Provided fide inhabitants, etc.

Persons deemed bona further, That no person shall be deemed to be a bona fide permanent inhabitant of said rivers who has not resided thereon or within fifty

Restriction on use of

Excepted rivers

miles thereof for a period of over one year, and that the term 'native Indians' as used herein shall be taken to mean members of the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood.

Approved, April 16, 1934.

[CHAPTER 147.]

AN ACT

April 16, 1934. [S. 2571] [Public, No. 167.]

Authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Contracts with United States of America in Congress assembled, That the Secretary welfare of Indians. of the Interior is hereby authorized, in his discretion, to enter into of the Interior is hereby authorized, in his discretion, to enter into a contract or contracts with any State or Territory having legal authority so to do, for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory, through the qualified agencies of such State or Territory, and to expend under such contract or contracts moneys appropriated by Congress for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State.

Federal expense.

Existing facilities to be utilized.

Sec. 2. That the Secretary of the Interior, in making any contract herein authorized with any State or Territory, may permit such State or Territory to utilize for the purpose of this Act, existing school buildings, hospitals, and other facilities, and all equipment therein or appertaining thereto, including livestock and other personal property owned by the Government, under such terms and conditions as may be agreed upon for their use and maintenance.

Rules, including minimum standards of service, to be established.

Proviso. Rating.

Annual Congress. report to

Not applicable to Oklahoma.

Sec. 3. That the Secretary of the Interior is hereby authorized estab to perform any and all acts and to make such rules and regulations, including minimum standards of service, as may be necessary and proper for the purpose of carrying the provisions of this Act into effect: *Provided*, That such minimum standards of service are not less than the highest maintained by the States or Territories with which said contract or contracts, as herein provided, are executed.

SEC. 4. That the Secretary of the Interior shall report annually to the Congress any contract or contracts made under the provisions of this Act, and the moneys expended thereunder.

Sec. 5. That the provisions of this Act shall not apply to the

State of Oklahoma. Approved, April 16, 1934.

[CHAPTER 148.]

JOINT RESOLUTION

April 16, 1934. [S.J.Res. 15.] [Pub. Res., No. 19]

Extending to the whaling and fishing industries certain benefits granted under section 11 of the Merchant Marine Act, 1920, as amended.

Resolved by the Senate and House of Representatives of the United

Merchant Marine States of America in Congress assembled, That in the administration Merchant Marine Act, 1920.

Act of 1920.

Benefits of construction loan fund provided in, extended to whaling and fishing industries.

Vol. 44, p. 1451; Vol. 46, p. 690; Vol. 46, p. 690; Vol. 46, p. 690; Vol. 46, p. 1900; U.S.C., Supp. VII, p. 963.

White of the Merchant Marine Act, 1920, as amended (U.S.C., Supp. VII, title 46, sec. 870), the Secretary of Commerce is authorized in the whaling to extend to citizens of the United States engaged in the whaling and fishing industries the same benefits that are authorized by such section, as amended, to be extended to persons citizens of the United States for the construction, outfitting, equipment, reconditioning remodeling, and improvement of certain vessels. All loans made under authority of this resolution from the construction loan

fund created by such section, as amended, shall be on the same terms tions. and subject to the same conditions, limitations, and restrictions as are provided therein, except that such loans shall bear interest at the rate of not less than 51/4 per centum per annum, payable annually.

SEC. 2. Any construction, outfitting, equipment, reconditioning, of vessels. remodeling, or improvement of vessels under authority of this resolution shall be only of vessels of a type and kind suitable for use as naval auxiliaries, and shall be in accordance with plans and specifications first approved by the Secretary of the Navy with particular reference to the economical conversion of such vessels into auxiliary naval vessels.

SEC. 3. The term "citizens of the United States", as used in this fined.

Nec. 3. The term "citizens of the United States", as used in this fined.

U.S.C., p. 1530. resolution, includes a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended (U.S.C., title 46, sec. 802).

Approved, April 16, 1934.

Terms and condi-

Interest rate.

Limitation as to type

Term "citizen" de-

[CHAPTER 154.]

AN ACT

To reduce certain fees in naturalization proceedings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 13 of the Naturalization Act of June 29, 1906 (34 Stat. 596), as amended (U.S.C., Supp. VII, title 8, sec. 402), is amended to read as follows:

"Sec. 13. That the clerk of each and every court exercising jurisdiction in naturalization cases shall charge, collect, and account for

the following fees in each proceeding:

"(1) For receiving and filing a declaration of intention and the suing of a duplicate thereof, \$2.50;

"(2) For making, filing, and docketing a petition for citizenship, ship; certificate.

and issuing a certificate of citizenship if the issuance of such certificate. tificate is authorized by the court, and for the final hearing on the

SEC. 2. Subdivisions (b) and (c) of section 32 of the Act of Section 32 of the Act of June 29, 1906, and subdivision (a) of section 33 of the Act of June Vol. 45, p. 1816; Vol. 29, 1906, which were added thereto by section 9 of the Act of March Vol. 37, p. 185, U.S.C., Supp. VII, p. 2, 1929 (45 Stat. 1512), and by section 4 of the Act of May 25, 1932 92. (47 Stat. 165), as amended (U.S.C., Supp. VII, title 8, sec. 399 b (b) and (c), and sec. 399 c (a)), are amended as follows: Wherever in said subdivisions the words "a fee of \$10" occur that shall be amended to read "a fee of \$5."

Sec. 3. Section 5 of the Act of March 2, 1929 (45 Stat. 1512),

as amended (U.S.C., Supp. VII, title 8, sec. 380 (a)), is amended p. 90. to read as follows:

"Sec. 5. For every certificate of arrival issued for naturalization purposes a fee of \$2.50 shall be paid to the Commissioner of Naturalization, which fee shall be paid over to and deposited in the Treasury in the same manner as other naturalization fees."

Sec. 4. Subdivision (a) of section 32 of the Act of June 29, 1906, Vol. 45. p. 1515; Vol. hich was added thereto by section 9 of the Act of March 2, 1929 U.S.C., Supp. VII, which was added thereto by section 9 of the Act of March 2, 1929 (45 Stat. 1512), as amended (U.S.C., Supp. VII, title 8, sec. 399(b) P. 92. New certificates in (a)), is amended as follows: Wherever in said subdivision the lieu of lost. words "a fee of \$10" occur they shall be amended to read "a fee of \$1"; and by adding at the end thereof the following: "Provided, That an alien veteran as defined in section 1 of the Act of May 26, veteran. 1926 (44 Stat. 654; (U.S.C., Supp. VII, title 8, sec. 241(a)), shall supp. VII, p. 87. not be required to pay the fee required by this subdivision."

April 19, 1934. [H.R. 3521.] [Public, No. 168.]

Naturalization proceedings. Vol. 34, p. 600; Vol. 45, p. 1514. U.S.C., Supp. VII, p. 93.

Designated fees reduced.

Vol. 45, p. 1513. U.S.C., Supp. VII,

Certificate of arrival.

Compsel fees.

Sec. 5. In all naturalization proceedings in which an alien applying for certificate of citizenship is represented by counsel, there is hereby established a limit of \$25 for counsel's fees, except where legal action before a court requires extended legal service when the court may approve a reasonable fee in excess of \$25.

Fee for registry, etc. Vol. 45, p. 1513. U.S.C., Supp. VII,

Sec. 6. Subdivision (b) of section 1 of the Act of March 2, 1929 (45 Stat. 1513), as amended (U.S.C., Supp. VII, title 8, sec. 106 (a) (b)), is amended as follows: Whenever in said subdivision the words "a fee of \$20" occur they shall be amended to read "a fee of \$10 ".

Approved April 19, 1934.

[CHAPTER 156.]

JOINT RESOLUTION

April 20, 1934. [S.J.Res. 70.] [Pub. Res., No. 20]

To provide for the reappointment of John C. Merriam as a member of the Board of Regents of the Smithsonian Institution.

Smithsonian Institution.
John C. Merriam reappointed Regent of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the expiration of the term of John C. Merriam, of the city of Washington, on December 20, 1933, be filled by the reappointment of the recent incumbent (John C. Merriam) for the statutory term of six years.

Approved, April 20, 1934.

[CHAPTER 157.]

AN ACT

April 21, 1934. [H.R. 8402.] [Public, No. 169.]

To place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes.

Regulation of cotton ndustry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Declaration of policy. That in order to relieve the present acute economic emergency in that part of the agricultural industry devoted to cotton production and marketing by diminishing the disparity between prices paid to cotton producers and persons engaged in cotton marketing and prices of other commodities and by restoring purchasing power to such producers and persons so that the restoration of the normal exchange in interstate and foreign commerce of all commodities may be fostered, and to raise revenue to enable the payment of additional benefits to cotton producers under the Agricultural Adjustment Act-

It is hereby declared to be the policy of Congress to promote the orderly marketing of cotton in interstate and foreign commerce; to enable producers of such commodity to stabilize their markets against undue and excessive fluctuations, and to preserve advantageous markets for such commodity, and to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, and to more effectively balance production and

consumption of cotton.

PERIOD OF APPLICABILITY

Period of applicability.

Sec. 2. The provisions of this Act shall be effective only with respect to the crop years 1934-1935, but if the President finds that the economic emergency in cotton production and marketing will continue or is likely to continue to exist so that the application of this Act with respect to the crop year 1935-1936 is imperative in order to carry out the policy declared in section 1, he shall so proclaim, and this Act shall be effective with respect to the crop year 1935-1936. If at any time prior to the end of the crop year 1935- Ter 1936, the President finds that the economic emergency in cotton exist.

production and marketing has ceased to exist, he shall so proclaim, and no tax under this Act shall be levied with respect to cotton

Power of President to extend period.

harvested after the effective date of such proclamation.

Termination if emer-

SEC. 3. (a) When the Secretary of Agriculture finds, for the crop year 1935-1936, if the provisions of this Act are effective for such crop year, that two thirds of the persons who have the legal or equitable right as owner, tenant, share-cropper, or otherwise to produce cotton on any cotton farm, or part thereof, in the United States for such crop year favor a levy of a tax on the ginning of cotton in excess of an allotment made to meet the probable market requirements and determines that such a tax is required to carry out the policy declared in section 1, the Secretary shall ascertain from an investigation of the available supply of cotton and the probable market requirements the quantity of cotton that should be allotted, in accordance with the policy declared in section 1, for marketing in the channels of interstate and foreign commerce, from production of cotton during the succeeding cotton crop year, exempt from the payment of taxes thereon.

Cotton-ginning tax. Levy of.

Ascertaining amount of cotton to be allotted.

(b) The allotment so ascertained shall be proclaimed by the Secretary of Agriculture at least sixty days prior to the beginning of such succeeding crop year and shall be apportioned by him as herein

Allotment to be pro-claimed.

Maximum crop fixed.

(c) For the crop year 1934-1935 ten million bales is hereby fixed as the maximum amount of cotton of the crop harvested in the crop year 1934-1935, that may be marketed exempt from payment of the tax herein levied. Except as provided in section 2, the allotment Plan effective for plan and the tax is hereby declared to be in effect for the crop year 1934-1935.

TAX AND EXEMPTIONS

Tax and exemptions.

Sec. 4. (a) There is hereby levied and assessed on the ginning of cotton hereafter harvested during a crop year with respect to which gency period. this Act is in effect, a tax at the rate per pound of the lint cotton produced from ginning, of 50 per centum of the average central market price per pound of lint cotton, but in no event less than 5 cents per pound. If the cotton was harvested during a crop year with respect to which the tax is in effect, the tax shall apply even if the ginning occurs after the expiration of such crop year.

Rate of tax; cotton ginned during emer-

(b) The average central market price, per pound of lint cotton, Average central marshall be the average price per pound of basis seven-eighths-inch middling spot cotton on the ten spot cotton markets (designated by the Secretary of Agriculture) as determined and proclaimed from time to time by the Secretary of Agriculture. The average central market price determined and proclaimed shall be the base for determining the rate of the tax until a different average central market price for lint cotton is determined and proclaimed by the Secretary of Agriculture.

Cotton ginned after effective period.

Determination and proclamation of.

To be basis for determining rate of tax. Returns and payment of tax.

(c) Every person ginning any cotton subject to tax under this Act (whether as agent of the owner or otherwise) and every other person liable for tax under this Act shall make monthly returns under oath in duplicate and pay the taxes imposed by this Act to the collector for the district in which the ginning is done, or to such Information re- other person as such collector may direct. Such returns shall contain such information and be made at such times and in such manner as the Commissioner, with the approval of the Secretary of the Treasury, may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 1 per centum a month from the time when

quired.

Penalty for tax delinquency.

the tax became due until paid.

Tax inapplicable to cotton harvested during year no allotment proclaimed.

(d) When the Secretary of Agriculture does not proclaim an allotment of cotton for a crop year as provided in section 3 of this Act, the tax shall not apply with respect to cotton harvested during such crop year but shall apply to cotton harvested during the next crop year for which, with the approval of the President, the Secretary makes an allotment under such section.

Tax exemptions

- (e) No tax shall be imposed under this Act with respect to—
- (1) Cotton harvested by any publicly owned experimental station or agricultural laboratory.
- (2) An amount of cotton harvested in any crop year from each farm equal to its allotment.

(3) Cotton harvested prior to the crop year 1934-1935.

(4) Cotton having a staple of one and one half inches in length

or longer.

Tax payment post-coned on cotton stored by producer.

Required when bale tags secured.

Lien until tax paid.

prescribed.

Exemption rights to be evidenced by certificate.

(f) The tax shall not be collected upon the ginning of cotton which is to be stored by the producer thereof either on the farm or at such other place as may be permitted by regulations prescribed by the Secretary of Agriculture and the Secretary of the Treasury. In such cases, the payment of the tax shall be postponed, but shall be paid at the time when bale tags are secured for such cotton. Bale tags may be secured for any of such cotton at any time after ginning (1) upon the payment to such person as the Commissioner may direct, of the amount of tax which would have been payable at the time of ginning, or (2) upon the surrender of certificates of exemption covering an amount of cotton not less than the amount of such cotton. Until bale tags are secured for such cotton, such cotton shall be subject to a lien in favor of the United States for the amount of the tax payable with respect to the ginning of such cotton. The right to postponement of the payment of the tax under this subsection shall be established in accordance with such regulations as the Secretary of Agriculture and the Secretary of the Treasury may prescribe.

Regulations to be The Commissioner, with the approval of the Secretary of the Treasury, shall prescribe regulations providing for stamping the containers of such cotton so as to indicate the time of ginning and the amount of tax payable with respect thereto.

(g) The right to exemption under paragraph (2) of subsection (e) shall be evidenced by a certificate of exemption issued as herein provided, which certificate of exemption shall be conclusive proof of the right to such exemption.

Apportionment.

APPORTIONMENT

Quantity of tax-ex-empt cotton based on rates of average produc-

Sec. 5. (a) When an allotment is made, in order to prevent unfair competition and unfair trade practices in marketing cotton in the channels of interstate and foreign commerce, the Secretary of

Agriculture shall apportion to the several cotton-producing States the number of bales the marketing of which may be exempt from the tax herein levied, which shall be determined by the ratio of the average number of bales produced in each State during the five crop years preceding the passage of this Act to the average number of bales produced in all the States during the same period: Provided, however, That no State shall receive an allotment of less than two hundred thousand bales of cotton if in any one year of five years prior to this date the production of the State equalled two hundred and fifty thousand bales. It is prima facie presumed that all cotton and its processed products will move in interstate or

foreign commerce.

(b) The amount allotted to each State (less the amounts allotted under section 8) shall be apportioned by the Secretary of Agriculture to the several counties in such State on a basis and ratio, applied to such counties, similar to that set forth in subsection (a), except that, for the purposes of this subsection, there shall be excluded ual conditions. from the calculation of the average production of cotton in any county an amount of cotton produced in such county during any crop year or years during which the Secretary of Agriculture finds that production of cotton in such county was reduced so substantially by unusual drought, storm, flood, insect pests, or other uncontrollable natural cause that the inclusion of the cotton produced in such crop year or years would result in an apportionment to such county based upon an abnormally low production of such county, and in such cases the average production shall be calculated on the basis of the crop years and production of the years remaining of the period set forth in subsection (a).

Minimum allotment.

Apportionment of State allotment among counties.

Exception. Tolerance for unus-

APPLICATIONS FOR CERTIFICATES

Applications for cer-tificates

Procedure. Post, p. 911.

Sec. 6. A producer of cotton desiring to secure a tax-exemption certificate may file an application therefor with the agent designated by the Secretary of Agriculture, accompanied by a statement under oath showing the approximate quantity of cotton produced on the lands presently owned, rented, share-cropped, or controlled by the applicant during a representative period fixed by the Secretary of Agriculture, and also the number of acres of land in said lands in actual cultivation for the three preceding years, and the quantity of cotton, in the best judgment of the applicant, said lands would have produced if all the cultivated land had been planted to cotton. Said application shall state any other facts which may be required by the Secretary of Agriculture. No certificate of exemption shall be order to comply with terms and agrees to comply with such conditions and limitations on the production of agricultural commodities by him as the Secretary of Agricultion of agricultural commounties by min as the cooperation of ture may, from time to time, prescribe to assure the cooperation of tion programs of the Agricultural Ante, p. 33. such producer in the reduction programs of the Agricultural Adjustment Administration and to prevent expansion on lands leased by the Government of competitive production by such producer of agricultural commodities other than cotton and the allotment of and certificates of exemption issued to any producer shall be subject to revocation on violation by him of such conditions and limitations, and no criminal penalties shall apply to the violation of this provision.

Cooperate, in reduc-

Sec. 7. (a) The amount of cotton allotted to any county pursuant counties to farms within. to section 5 (b) shall be apportioned by the Secretary of Agriculture to farms on which cotton has been grown within such county. Such

Counties to allot to

cation therefor

Basis, percentage of average production.

Percentage which farm's full crop would bear to whole county.

Uniform applicability of allotments.

Voluntary acreage reduction; not to be penalized.

No percentage apportionment after period.

Maximum limitation.

Allotment provisions in specified cases modified.

Where less than 14 of cultivation has been in

New fields.

Production reduced by drought, etc.

Producers volunta-rily reducing acreage below requirements.

Allotments considered as additions, etc.

To be made on application any farm shall be made upon application therefor and may be made by the Secretary based upon-

(1) A percentage of the average annual cotton production of the

farm for a fair representative period; or

(2) By ascertaining the amount of cotton the farm would have produced during a fair representative period if all the cultivated land had been planted to cotton, and then reducing such amount by such percentage (which shall be applied uniformly within the county to all farms to which the allotment is made under this paragraph) as will be sufficient to bring the total of the farm allotments within the county's allotment; or

(3) Upon such basis as the Secretary of Agriculture deems fair and just, and will apply to all farms to which the allotment is made under this paragraph uniformly, within the county, on the basis or classification adopted. The Secretary of Agriculture, in determining the manner of allotment to individual farmers, shall provide that the farmers who have voluntarily reduced their cotton acreage shall not be penalized in favor of those farmers who have not done so.

(b) After the crop year 1934-1935 the apportionment shall not be on the basis set out in paragraph (1) of subsection (a) of this

(c) The total allotment to farms in each county under this section shall not exceed the approximate number of bales allotted to that county under section 5 (b).

SEC. 8. Whenever an allotment is made pursuant to section 3, not to exceed 10 per centum of the number of bales allotted to each State shall be deducted from the number of bales allotted to such State, and allotted in such State-

(a) To producers of cotton on farms where for the preceding three years less than one third of the cultivated land on such farms has been planted to cotton;

(b) To producers of cotton on farms not previously used in cotton

production;

(c) To producers of cotton on farms where, for the preceding five years, normal cotton production has been reduced by reason of drought, storm, flood, insect pests, or other uncontrollable natural

cause; and
(d) To producers of cotton on farms where, for the preceding three years, acreage theretofore planted to cotton has been voluntarily reduced so that the amount of reduction in cotton production on such farms is greater than the amount which the Secretary finds would have been an equitable reduction applicable to such farms in carrying out a reasonable reduction program.

The allotments provided for in this section shall be in addition to the amounts apportioned to the counties under section 5 (b).

EXEMPTION CERTIFICATES

Applications there-

certifi-

Exemption

Manner of evidenc-

SEC. 9. (a) Exemption certificates shall be issued by the Secretary of Agriculture, upon application therefor, but only upon proof satisfactory to the Secretary that the producer is entitled thereto pursuant void if erroneously to this Act and the regulations thereunder. Any certificate erroneously issued shall be void upon a demand in writing for its return made by the Secretary of Agriculture to the person to whom such certificate was issued.

(b) The right to a certificate of exemption shall be evidenced in such manner as the Secretary of Agriculture may by regulations prescribe.

(c) The certificate of exemption shall specify the amount of cotton Amount exempted to

exempt from the tax under section 4 (e) (2).

(d) Any and all certificates of exemption may be transferred or Translowed. assigned in whole or in part in such manner as the Secretary of Agriculture may prescribe and shall be issued with detachable coupons or in such other form or forms to be prescribed by the Secretary of Agriculture as will facilitate such transfer or assignment. Any person who, in violation of the regulations made by the Secretary of Agriculture. (1) secures certificates of exemption or bale tags from another by sharp practices, or (2) speculates in certificates of exemp tion or bale tags, and any person securing certificates of exemption or bale tags from another person by fraud or coercion shall, upon conviction thereof, be fined not more than \$1,000 or sentenced to not more than one year's imprisonment, or both.

Transfer, etc., al-

Penalty provisions.

IDENTIFICATION OF TAX-PAID OR EXEMPT COTTON

Identification of tax paid, etc., cotton. Bale tag to be affixed.

Sec. 10. (a) Upon the payment of the tax on any cotton, or the surrender of exemption certificates covering cotton, the collector receiving such payment or certificates shall deliver to the person so paying or surrendering an appropriate number of bale tags which shall be affixed to such cotton.

(b) All cotton imported from a foreign country (including the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and the island of Guam) shall be packed and stamped, tagged, or otherwise identified, in addition to any import stamp indicating inspection at the customhouse, before such cotton is withdrawn therefrom.

Identifying, etc., imported cotton.

(c) Every person who, at the time the tax becomes effective in any crop year, holds for sale (or use in the manufacture or production of an article intended for sale) any lint cotton in bales harvested during a year with respect to which the tax was not in effect may, upon application within fifteen days after the tax becomes effective, and any publicly owned experimental station or agricultural laboratory may, upon application at the time of ginning cotton harvested by it, receive an appropriate number of bale tags. Such bale tags shall be promptly affixed to the bales of lint cotton so held.

Holders of lint cotton previously harvested.

Publicly owned, etc.

(d) In the case of any cotton in existence at the beginning of any Cotton held by crop year with respect to which the tax becomes effective and owned, held, or controlled by the United States, or any department or agency thereof, the Commissioner shall supply bale tags therefor free of charge, upon application by the head of the department or agency. Upon application of the Secretary of Agriculture, bale tags shall be Producers' Pool.

Held in 1933 Cotton Producers' Pool. Pool. Bale tags issued under this section shall be securely affixed to such cotton.

DESTRUCTION OF MEANS OF IDENTIFICATION

Destruction of means of identification.

Sec. 11. Every person emptying or breaking any bale stamped, Requirement breaking, etc., bale. tagged, or otherwise identified under the provisions of this Act shall, at the time of emptying or breaking such bale, destroy the bale tag.

Requirement on

REGULATIONS BY THE COMMISSIONER

SEC. 12. The Commissioner, with the approval of the Secretary Regulations to be of the Treasury, shall prescribe (a) regulations with respect to the time and manner of applying for, issuing, affixing, and destroying bale tags, and the method of accounting for receipts from the sale of and for the use of such bale tags, and (b) such other regulations as

he shall deem necessary for the enforcement of the taxing provisions of this Act.

INFORMATION RETURNS

Furnishing information upon demand.

Sec. 13. (a) All persons, in whatever capacity acting, including producers, ginners, processors of cotton, and common carriers, having information with respect to cotton produced, may be required to make a return in regard thereto, setting forth the amount of cotton delivered, the name and address of the person who delivered said cotton, the amount of lint cotton produced therefrom, and any other and further information which the Commissioner, with the approval of the Secretary of the Treasury and the Secretary of Agriculture, shall by regulations prescribe as necessary for the proper administration of the tax. Any person required to make such return shall render a true and accurate return to the Commissioner.

Accuracy, etc., re-

Penalty for failing to make return.

(b) Any person willfully failing or refusing to file such a return, or filing a willfully false return, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$1,000 or by imprisonment not exceeding one year, or both.

General and penal provisions.

GENERAL AND PENAL PROVISIONS

Offenses under Revenue Act of 1926. Vol. 44, p. 99.

Lint cotton.
Transporting, beyond county without bale tag.

Trading. without tag.

Exporting seed cotton to any United States possession or to a foreign country.

Penalties. Failing to pay tax.

Counterfeiting, etc.

False statements.

Sec. 14. (a) All provisions of law, including penalties, applicable with respect to the taxes imposed by section 800 of the Revenue Act of 1926, shall, insofar as applicable and not inconsistent with the provisions of this Act, be applicable with respect to taxes imposed by this Act.

(b) Except as may be permitted by regulations prescribed by the Commissioner, with the approval of the Secretary of the Treasury, with due regard for the protection of the revenue, no person shall: (1) Transport, except for storing or warehousing, under the provisions of section 4 (f) beyond the boundaries of the county where etc., in, produced any lint cotton to which a bale tag issued under this Act is not attached; or (2) sell, purchase, or open any bale of lint cotton to which a bale tag issued under this Act is not attached.

(c) No seed cotton harvested during a crop year with respect to which the tax is in effect shall be exported from the United States or any possession thereof to which this Act applies to any possession of the United States to which this Act does not apply or to any foreign country.

(d) Any person who willfully violates any provision of this Act, or who willfully fails to pay, when due, any tax imposed under this Act, or who, with intent to defraud, falsely makes, forges, alters, or counterfeits any bale tag or certificate of exemption made or used under this Act, or who uses, sells, or has in his possession any such forged, altered, or counterfeited bale tag or certificate of exemption, or any plate or die used, or which may be used in the manufacture thereof, or has in his possession any bale tag which should have been destroyed as required by this Act, or who makes, uses, sells, or has in his possession any paper in imitation of the paper used in the manufacture of any such bale tag or certificate of exemption, or who reuses any bale tag required to be destroyed by this Act, or who places any cotton in any bale which has been filled and stamped, tagged, or otherwise identified under this Act, without destroying the bale tag previously affixed to such bale, or who affixes any bale tag issued under this Act to any bale of lint cotton on which any tax due is unpaid, or who makes any false statement in any application for bale tags or certificates of exemption under this Act, or who has

in his possession any such bale tags or certificates of exemption obtained by him otherwise than as provided in this Act, shall on conviction be punished by a fine not exceeding \$1,000, or by imprison-

ment for not exceeding 6 months, or both.

(e) Any person who willfully violates any regulation issued violating regulations, by the Secretary of Agriculture or the Secretary of Agriculture and the Secretary of the Treasury under this Act, for the violation of which a special penalty is not provided, shall, on conviction thereof, be punished by a fine not exceeding \$200.

REGULATIONS BY THE SECRETARY OF AGRICULTURE

such regulations as may be necessary to carry out the powers vested Agriculture. in him by the provisions of this Act.

(b) The Secretary of Agriculture may make regulations protecting share-ing the interests of share-croppers and tenants in the making of allotments and the issuance of tax-exemption certificates under this Act.

APPROPRIATIONS AUTHORIZED

SEC. 16. (a) There is hereby authorized to be appropriated such Appropriations authorized. sums as may be necessary to carry out the provisions of this Act.

under the Agricultural Adjustment Act, such sums as may be necesinstructional adjustment Act. sary to carry out the provisions of this Act are authorized to be made

Post, p. 805.

(c) The proceeds derived from the tax are hereby authorized to be appropriated to be made available to the Secretary of Agriculture for the purposes of carrying out the cotton program of the Agricultural Adjustment Administration, and for administrative expenses and refunds of taxes under this Act.

Proceeds from tax.

OFFICERS AND EMPLOYEES

Officers and employ-

SEC. 17. The Secretary of Agriculture is authorized, in order to out regard to civil serv-carry out the provisions of this Act, to appoint, without regard to ice or classification acts. the provisions of the civil service laws, such officers, agents, and employees, and to utilize such Federal officers and employees, and with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed, except that rates so fixed shall not exceed the rates of compensation prescribed for comparable duties by such Act, as amended.

PURCHASES AND SERVICES

Sec. 18. The administrative expenses provided for under this Act ices. shall include, among others, expenditures for personal services and rent in the District of Columbia and elsewhere for law books, periodicals, newspapers, and books of reference, for contract stenographic reporting services, and for printing and paper in addition to allotments under the existing law.

Purchases and serv

COLLECTION OF TAXES

SEC. 19. The taxes provided for by this Act shall be collected by the Commissioner of Internal Revenue under the direction of the Secretary of the Treasury. Taxes collected shall be paid into the Treasury of the United States.

Collecting taxes. Post, p. 805.

Refunds.

REFUNDS

None allowed unless claim filed within six months.

Sec. 20. (a) No refund of any tax, penalty, or sum of money paid shall be allowed under this Act unless claim therefor is presented within six months after the date of payment of such tax, penalty, or sum

Procedure, limita-

(b) No suit or proceeding shall be maintained in any court for the recovery of any tax under this Act alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, or of any sum alleged to have been excessive or in any manner wrongfully collected until a claim for refund or credit has been duly filed with the Commissioner of Internal Revenue, according to the provisions of law in that regard, and the regulations of the Secretary of the Treasury, established in pursuance thereof; but such suit or proceeding may be maintained, whether or not such tax, penalty, or sum has been paid under protest or duress. No suit or proceeding shall be begun before the expiration of six months from the date of filing such claim, unless the Commissioner renders a decision therein within that time, nor after the expiration of two years from the date of the payment of such tax, penalty, or sum, unless such suit or proceeding is begun within two years after the disallowance of the part of such claim to which such suit or proceeding relates. The Commissioner shall, within ninety days after any such disallowance, notify the taxpayer thereof by registered mail.

Notice to be sent.

SEPARABILITY OF PROVISIONS

Separability of pro-

SEC. 21. If any provision of this Act, or the applicability thereof to any person or circumstance, is held invalid, the remainder of this Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

GEOGRAPHICAL APPLICATION OF ACT

Geographical appli-

SEC. 22. The provisions of this Act shall be applicable to the United States and its possessions, except the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and the island of Guam.

Definitions.

DEFINITIONS

"Person."

Sec. 23. As used in this Act—

(a) The term "person" means an individual, a partnership, joint-

"Commissioner."

stock company, a corporation, or a firm.

(b) The term "Commissioner" means the Commissioner of Internal Revenue.

"Collector." "Ginning."

(c) The term "collector" means the collector of internal revenue.(d) The term "ginning" means the separation of lint cotton from seed cotton.

"Tax."

(e) The term "tax" means the tax upon the ginning of cotton

"Lint cotton."

imposed by this Act. (f) The term "lint cotton" means the fiber taken from seed

cotton by ginning.
(g) The term "seed cotton" means the harvested fruit of the

"Seed cotton. '

"Bale tag."

cotton plant.
(h) The term "bale tag" means nondetachable bale tag, stamp,

or other means of identifying tax-paid or exempt cotton.

(i) The term "crop year" means the period from June 1 of one year to May 31 of the succeeding year, both dates inclusive.

"Crop year."

The term "bale", when used in sections 3, 5, 7, and 8 to describe

"Bale."

The term "bale", when used in sections o, o, o, o, and a quantity of cotton, means five hundred pounds of lint cotton.

Sec. 24. The Secretary of Agriculture is authorized to develop studies in developing new and extended uses for cotton, and for such purpose there is ton.

Sec. 24. The Secretary of Agriculture is authorized to develop new, etc., uses for cotton.

Sec. 25. Supplies to the Secretary not to exceed Supplies for.

authorized to be made available to the Secretary not to exceed \$500,000 out of the funds available to him under section 12 of the Agricultural Adjustment Act.

Approved, April 21, 1934.

[CHAPTER 158.]

AN ACT

To revive and reenact the Act entitled "An Act granting the consent of Congress to Meridian and Bigbee River Railway Company to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Naheola, Alabama", approved January 15, 1927.

April 23, 1934. [S. 3296.] [Public, No. 170.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved January 15, 1927, granting the consent of Congress to the to bridge at Naheola, Meridian and Bigbee River Railway Company to construct, maintain, Ala, revived. Vol. 44, p. 975, and operate a railroad bridge across the Tombigbee River at or near Naheola Alabama be and the come in home to the construct of the consent of the con Naheola, Alabama, be, and the same is hereby, revived and reenacted: Provided, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within two years and completed within four years from the date of approval

Tombigbee River.

Proviso.
Time limitation.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 23, 1934.

[CHAPTER 159.]

AN ACT

To authorize payment for the purchase of, or to reimburse States or local levee districts for the cost of, levee rights-of-way for flood-control work in the Mississippi Valley, and for other purposes.

April 23, 1934. [H.R. 8018.] [Public, No. 171.]

Be it enacted by the Senate and House of Representatives of the of War is authorized, out of any money available for carrying out flood control. Payment authorized the provisions of the Act entitled "An Act for the control of floods for purchase of, or to on the Mississippi River and its tributaries, and for other purposes", for cost of levee rights approved May 15, 1928, to purchase from, or to reimburse States or of-way. United States of America in Congress assembled, That the Secretary approved May 15, 1928, to purchase from, or to reimburse States or of way. Vol. 45, p. 537. local levee districts for the cost of, any levee rights-of-way or easements for the building of levees in the Mississippi Valley for which the United States was or is under obligation to pay under the provisions of the Act of May 15, 1928, regardless of whether said States or local levee districts have furnished such rights-of-way in the past and regardless of the conditions under which such levee rights-of-way were furnished, or may be furnished in the future: Provided, That after careful investigation the prices are found to be Provisos. Prices to be reasonable: And provided further, That payments or reimburse-able. ments for levee rights-of-way or easements conveying the privilege of building levees may be made as soon as they have been acquired in soon as privilege acconformity with local custom or legal procedure in such matters and quired. to the satisfaction of the Chief of Engineers.

Past and future cases.

Approved, April 23, 1934.

[CHAPTER 161.]

AN ACT

April 24, 1934. [S. 828.] [Public, No. 172.]

To authorize boxing in the District of Columbia, and for other purposes.

Filling vacancies.

Powers and duties.

Holding boxing exhibition without permit unlawful. Terms and condi-tions for granting.

Engaging in exhibition without license forbidden.

Permit or license invalid unless conforming to specified conditions.

Be it enacted by the Senate and House of Representatives of the District of Colum United States of America in Congress assembled, That (a) there is bia.

Boxing commission hereby created for the District of Columbia a boxing commission, created.

Membership, terms of office, etc.

Membership, terms of the District of Columbia, one of whom shall be a member of the District of Columbia. police department of the District of Columbia. No person shall be Vol. 35, p. 1150; eligible for appointment to membership on the commission unless such person at the time of appointment is and for at least three years prior thereto has been a resident of the District of Columbia. The terms of office of the members of the commission first taking office after the approval of this Act shall expire at the end of two years from the date of the approval of this Act. A successor to a member of the commission shall be appointed in the same manner as the original members and shall have a term of office expiring two years from the date of the expiration of the term for which his predecessor was appointed, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder To receive no compensation.

Facilities, clerical assistance, etc., to be produced so that the remainder of such term. The members of the commission shall receive no compensation for their services. The Commissioners of the District of Columbia shall furnish to the boxing commission such office space and clerical and other assistance as may be necessary.

(b) Subject to the approval of the Commissioners of the District of Columbia, the commission shall have power (1) to cooperate with organizations engaged in the promotion and control of amateur boxing; (2) to supervise and regulate boxing within the District of Columbia; and (3) to make such orders, rules, and regulations, as the commission deems necessary for carrying out the powers

herein conferred upon it.

(c) No person shall hold a boxing exhibition in the District of Columbia without a permit from the commission. Each such permit shall be limited to a period of one day, except that in case of any interscholastic boxing meet or similar contest a permit may be issued for the duration of such meet or contest. No such permit shall be Right to examine issued to any person unless such person agrees to accord to the comrecords, etc. mission the right to examine the books of accounts and other records of such person relating to the boxing exhibition for which such per-Revocation of permit mit is issued, and such permit shall so state on its face. A permit may be revoked at any time in the discretion of the commission.

(d) No individual shall engage in any boxing exhibition in the District of Columbia without a license from the commission. Such license shall entitle the licensee to engage in boxing exhibitions in the District of Columbia for the period specified therein, and the Revocation of, for commission may revoke any such license at any time for violation by the licensee of any order, rule, or regulation of the commission, or for other cause.

(e) Any permit or license issued by the Board shall not be valid for the purpose of holding or engaging in, respectively, any boxing exhibition which does not conform to the following conditions: (1) Such exhibition may consist of one or more bouts; (2) no round shall exceed three minutes; (3) there shall be an interval of one minute between each round and the succeeding round; and (4) each contestant shall use gloves of not less than eight ounces each in weight.

(f) The commission may charge for permits and for licenses such licenses. fees as will, in its opinion, defray the cost of issuance thereof and

other necessary expenses of the commission.

(g) Any person who (1) holds any boxing exhibition in the District of Columbia without a permit valid and effective at the time, or (2) engages in any boxing exhibition in the District of Columbia without a license valid and effective at the time, or (3) violates any lawful order, rule, or regulation of the commission shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both.

(h) The term "person", as used in this Act, includes individuals, fined.

partnerships, corporations, and associations.

Approved, April 24, 1934.

[CHAPTER 162.]

AN ACT

To authorize the incorporated city of Juneau, Alaska, to undertake certain municipal public works, including regrading and paving of streets and sidewalks, installation of sewer and water pipes, bridge construction and replacement, construction of concrete bulkheads, and construction of refuse incinerator, and for such purposes to issue bonds in any sum not exceeding \$103,000.

April 25, 1934. [S. 2811.]

[Public, No. 173.]

Penalty provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorpo-United States of America in Congress assembled, That the incorporated city of Juneau, Alaska, is hereby authorized and empowered to certain public works. undertake the municipal public works herein specified and for such purposes to issue bonds in any sum not exceeding \$103,000. Said city is hereby authorized and empowered to regrade and pave streets and sidewalks and for such purpose to issue bonds in any sum not exceeding \$51,400; to install sewer and water pipes and for such purpose to issue bonds in any sum not exceeding \$2,750; to construct and replace a bridge and for such purpose to issue bonds in any sum not exceeding \$5,000; to construct concrete bulkheads and for such purpose to issue bonds in any sum not exceeding \$12,850; to construct a refuse incinerator and for such purpose to issue bonds in any sum not exceeding \$25,000; to employ such engineering supervision and pay such overhead expenses as may be necessary in connection with the above-mentioned public works and for such purpose to issue bonds in any sum not exceeding \$6,000. All of said public works are to be acter. undertaken in the said city of Juneau, Alaska, except said refuse incinerator, which may be placed without the corporate limits of

Objects specified.

Sec. 2. Before said bonds shall be issued a special election shall authorize. be ordered by the common council of the said city of Juneau, at which election the question of whether such bonds shall be issued in the amounts above specified for any or all of the purposes herein-before set forth shall be submitted to the qualified electors of said city of Juneau whose names appear on the last assessment roll of said city for municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for each of the purposes herein specified in the amounts herein authorized. Not less than twenty days' notice of such election shall be given by given publication thereof in a newspaper printed and published and of general circulation in said city before the day fixed for such election. The registration for such election, the manner of conducting the same, the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general

Form of ballot.

Sufficient notice to be

Conduct of election.

or special elections in said municipality, and said bonds shall be issued for any or all of the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said city shall be in favor of the issuance of said bonds for such purpose.

Character, etc., of bonds.

Sec. 3. Such bonds shall be coupon in form, may bear such date or dates, may be in such denomination or demoninations 1, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be redeemable, with or without premium, or nonredeemable, may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said city of Juneau at the time such bonds are authorized to be issued. The bonds shall bear the signatures of the mayor and clerk of the city of Juneau, and shall have impressed of signathereon the official seal of said city. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the said city of Juneau, not to exceed 6 per centum per annum, payable semiannually, and the bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Validity tures, etc.

Interest rate, etc.

Bonds deemed mu-nicipal obligations.

Use of funds restricted.

Sale limitations.

Contracts with United States for bond sale, etc. Ante, p. 200.

Sec. 4. The bonds herein authorized to be issued shall be general obligations of said city of Juneau, payable as to both interest and principal from ad valorem taxes which shall be levied upon all the taxable property within the corporate limits of said city of Juneau in an amount sufficient to pay the interest on and principal of such bonds as and when the same become due and payable. Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified

in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Juneau shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as the same may be required for said

Sec. 6. The city of Juneau is hereby authorized to enter into con-

tracts with the United States of America or any agency or instrumentality thereof, under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with provisions of this Act or for the acceptance of a grant of money to aid said town in financing any public works herein authorized; or to enter into contracts with any person or corporation, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said city of Juneau and the United States of America or any agency or instrumentality thereof or any such purchaser.

Approved, April 25, 1934.

¹ So in original.

[CHAPTER 163.]

AN ACT

To authorize the incorporated city of Skagway, Alaska, to construct, reconstruct, replace, and install a water-distribution system and for such purpose to issue bonds in any sum not exceeding \$40,000.

April 25, 1934. [S. 2812.] [Public, No. 174.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated city of Skagway, Alaska is hereby authorized and empow-water system. ered to construct, reconstruct, replace, and install a water distribution system to replace the system now owned by the city of Skagway and for such purpose to issue bonds in any sum not exceeding \$40,000.

Skagway, Alaska. May issue bonds for

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said city of Skagway, at which election the question of whether such bonds shall be issued shall be submitted to the qualified electors of said city of Skagway whose names appear on the last assessment roll of said city for municipal taxation. Not less than twenty days' notice of such election shall be given by posting notices of the same in three conspicuous places within the corporate limits of the city of Skagway, Alaska, one of which shall be at the front door of the United States post office. That the registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality and said bonds shall be issued only upon condition that not less than a majority of the votes cast at such election in said city shall be in favor of the issuance of said bonds.

Special election to authorize.

Notice to be posted.

Conduct of election

Form, etc., of bonds.

SEC. 3. Such bonds shall be coupon in form, may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be redeemable, with or without premium, or nonredeemable, may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said city of Skagway at the time such bonds are authorized to be issued. The bonds shall bear the signatures of the mayor and clerk of the city of Skagway, and shall have impressed thereon the official seal of said city. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the said city of Skagway, not to exceed 6 per centum per annum, payable semiannually, and the bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Validity of signa-

Interest rate.

Sec. 4. The bonds herein authorized to be issued shall be general pal obligations. obligations of said city of Skagway, payable as to both interest and principal from ad valorem taxes which shall be levied upon all the taxable property within the corporate limits of said city of Skagway in an amount sufficient to pay the interest on and principal of such bonds as and when the same become due and payable, and, if so provided by the common council of said city of Skagway, may be additionally secured by a direct pledge of all or any part of the revenues of said water-distribution system and any subsequent additions or extensions thereto, remaining after provisions for the payment of the cost of operation and maintenance of said system and

the cost of such repairs, improvements, and betterments thereto as shall be necessary to keep the same at all times in good repair and working order.

Use of funds restrict-

Sale limitations.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Skagway shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as the same may be required for said purposes.

Contracts authorized with United States for bond sale.

Ante, p. 200.

Sec. 6. The city of Skagway is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof, under the provisions of the National Industrial Recovery Act and acts amendatory thereof and acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with provisions of this Act or for the acceptance of a grant of money to aid said city in financing any public works herein authorized; or to enter into contracts with any person or corporation, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said city of Skagway and the United States of America or any agency or instrumentality thereof or any such purchaser.

Approved, April 25, 1934.

[CHAPTER 164.]

AN ACT

April 25, 1934. [S. 2813.] [Public, No. 175.]

To authorize the incorporated town of Wrangell, Alaska, to undertake certain municipal public works, including construction, reconstruction, enlargement, extension, and improvements of its water-supply system; construction of a retaining wall and to back-fill behind same to make a permanent street; and construction, reconstruction, enlargement, extension, and improvements to sewers, and for such purposes to issue bonds in any sum not exceeding \$51,000

Be it enacted by the Senate and House of Representatives of the Wrangell, Alaska. United States of America in Congress assembled, That the incorpospecified public works. rated town of Wrangell, Alaska, is hereby authorized and empowered to undertake the municipal public works herein specified and for such purposes to issue bonds in any sum not exceeding \$51,000. Said town is hereby authorized and empowered to construct, reconstruct, enlarge, extend, or improve its water-supply system and for such purpose to issue bonds in any sum not exceeding \$32,000; to construct a retaining wall and to backfill behind same to make a permanent street, and for such purpose to issue bonds in any sum not exceeding \$13,000; to construct, reconstruct, enlarge, extend, or improve sewers and for such purpose to issue bonds in any sum not exceeding \$6,000.

Special election to authorize.

SEC. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Wrangell, at which election the question of whether such bonds shall be issued in the amounts above specified for any or all of the purposes herein-before set forth shall be submitted to the qualified electors of said town of Wrangell whose names appear on the last assessment roll of said town for municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for each of the purposes herein specified in the amounts herein authorized. Not less than twenty days' notice of such election shall be given by posting notices of the same in three conspicuous places within the corporate limits of the town of Wrangell, Alaska, one of which shall be at the front door of the United States post office. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued for any or all of the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said town shall be in favor of the issuance of said bonds for such purpose.

SEC. 3. Such bonds shall be coupon in form, may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be redeemable, with or without premium, or nonredeemable, may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said town of Wrangell at the time such bonds are authorized to be issued. The bonds shall bear the signatures of the mayor validity of signatures of the torus of Williams. and clerk of the town of Wrangell, and shall have impressed thereon the official seal of said town. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the said town of Wrangell, not to exceed 6 per centum per annum, payable semiannually, and the bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Sec. 4. The bonds, herein authorized to be issued shall be general nicipal obligations. obligations of said town of Wrangell, payable as to both interest and principal from ad valorem taxes which shall be levied upon all the taxable property within the corporate limits of said town of Wrangell in an amount sufficient to pay the interest on and principal of such bonds as and when the same become due and payable. Such of the bonds as may be issued to construct, reconstruct, enlarge, extend, or improve the water-supply system of said town of Wrangell may, if so provided by the common council of said town of Wrangell, be additionally secured by a direct pledge of all or any part of the revenues of said water-supply system and any subsequent additions or extensions thereto, remaining after provision for the payment of the reasonable costs of operation and maintenance of said system and the cost of such repairs, improvements, and betterments thereto as shall be necessary to keep the same at all times in good repair and working order.

SEC. 5. No part of the funds arising from the sale of said bonds stricted. Sale used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the town of Wrangell shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as the same may be required for said

SEC. 6. The town of Wrangell is hereby authorized to enter into Contracts authorized contracts with the United States of America or any agency or for bond sale. instrumentality thereof, under the provisions of the National

Notice to be posted.

Conduct of election.

Form, etc., of bonds.

Interest rate.

Sale limitations.

Ante. p. 200.

Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with provisions of this Act or for the acceptance of a grant of money to aid said town in financing any public works herein authorized; or to enter into contracts with any person or corporation, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions as may be agreed upon by and between the common council of said town of Wrangell and the United States of America or any agency or instrumentality thereof or any such purchaser.

Approved, April 25, 1934.

[CHAPTER 165.]

AN ACT

April 26, 1934. [H.R. 8471.] [Public, No. 176.]

Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes, namely:

ities.

Military, 6tc., activ- TITLE I-MILITARY ACTIVITIES AND OTHER EXPENSES OF THE WAR DEPARTMENT INCIDENT THERETO

Department salaries.

SALARIES, WAR DEPARTMENT

Personal services.

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistants, and other personal serv-

Office of Secretary of War: Secretary of War, two Assistant Secretaries of War, and other personal services, \$256,611: Provided, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly author-

Use of field service funds restricted Designated offices.

> ized herein. Office of Chief of Staff, \$196,609.

Adjutant General's office, \$1,221,777. For personal services in and without the District of Columbia, to be employed exclusively in assembling, classifying, and indexing the military personnel records of the World War, and for the purchase of necessary supplies and materials used in such work, \$86,340.

Office of the Inspector General, \$24,005.

Office of the Judge Advocate General, \$95,095.

Office of the Chief of Finance, \$325,877.
Office of the Quartermaster General, \$697,739.
Office of the Chief Signal Officer, \$91,523.
Office of the Chief of Air Corps, \$195,340.

Draftsmen, etc., payable from other appropriations.

Office of the Surgeon General, \$240,763.
Office of Chief of Bureau of Insular Affairs, \$72,035.
Office of Chief of Engineers, \$108,296: Provided, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the Office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors, surveys, and preparation for and the consideration of river and harbor estimates and bills, to be

paid from such appropriations: Provided further, That the expenditures limited. tures on this account for the fiscal year 1935 shall not exceed \$199,242; the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Office of Chief of Ordnance, \$377,037.
Office of Chief of Chemical Warfare Service, \$45,312.

Office of Chief of Coast Artillery, \$22,417.

National Guard Bureau, War Department, \$127,604. In all, salaries, War Department, \$4,184,380: Provided, That the number of enlisted men on duty in the offices of the Chiefs of Ord-not to be increased nance, Engineers, Coast Artillery, Field Artillery, Cavalry, and Infantry on March 5, 1934, shall not be increased, and in lieu of enlisted men whose services in such offices shall be terminated for any cause prior to July 1, 1935, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, subject to such reduction as may be required by other law, the appropriation "Pay, and so forth, of the Army", shall be available.

In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, 45, p. 776; Vol. 42, p. 1488; Vol. as amended, with the exception of the Assistant Secretaries of War, 1003. the average of the salaries of the total number of persons under any VII, p. 34. grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: Provided, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different duction.

Higher release to clerical-mechanical cable to clerical-mechanical service. No reduction in fixed salaries.

Vol. 42, p. 1490, U.S.C., p. 66.

Transfer to another position without reduction. bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by if only one position other law or (5) to reduce the componential of any parameter of any pa other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Proviso. Detail of enlisted men

Civilians to fill va-

Fund available.

Restriction on ex-ceeding average sala-

Higher salary rates allowed.

CONTINGENT EXPENSES, WAR DEPARTMENT

For stationery; purchase of professional and scientific books, gent expenses. law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; for the purchase of a passenger-carrying automobile for the official use of the Secretary of War at not to exceed \$2,500, including the value of a vehicle exchanged; maintenance, repair, and operation of motor trucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street-car fares, not exceeding \$750; postage to Postal Union countries; and other absolutely necessary expenses, \$181,631, of which sum \$8,000 shall be available exclusively for the several objects embraced by the appropriation contained in this Act entitled "Contingencies, Military Intelligence Division", and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or

branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, District of Columbia, any sum out of appropriations contained in this Act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph. For any of the purposes mentioned or authorized in this paragraph. For printing and binding for the War Department, its bureaus and offices, and for all printing and binding for the field activities under the War Department, except such as may be authorized in accordance with existing law to be done elsewhere than at the Government Printing Office, \$400,000: Provided, That the sum of \$3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army for the instruction of medical

Printing and binding.

Proviso. Medical bulletins.

For Chief of Engi \$69,827 shall be available for printing and binding under the direcneers.

Military activities.

MILITARY ACTIVITIES

tion of the Chief of Engineers.

the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding

CONTINGENCIES OF THE ARMY

Army contingencies.

For all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and for examination of estimates of appropriations and of military activities in the field, \$11,650.

General Staff Corps.

GENERAL STAFF CORPS

Military Intelligence

Contingent expenses.

Proviso. Conditions waived. R.S., sec. 3648, p. 718. U.S.C., p. 1009.

Army War College.

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION For contingent expenses of the Military Intelligence Division,

General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$27,500, to be expended under the direction of the Secretary of War: Provided, That section 3648, Revised Statutes (U.S.C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

ARMY WAR COLLEGE

Instruction expenses.

Employees, etc.

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lecturers; for the pay of employees; and all 1 for all other absolutely necessary expenses, \$57,903.

¹ So in original.

ADJUTANT GENERAL'S DEPARTMENT

Adjutant General's Department.

COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

For the purchase of textbooks, books of reference, scientific and Command and Gen-professional papers, instruments, and material for instruction; Leavenworth, Kans. employment of temporary technical, special, and clerical services; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas, \$32,809.

FIELD EXERCISES

For all expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, comprising allowances for enlisted men for quarters and rations, movement of materiel, maintenance, and operation of structures and utilities, and any other requisite supplies and services, \$156,375.

Field exercises.

WELFARE OF ENLISTED MEN

For the equipment and conduct of school, reading, lunch, and Equipment, etc., of post exchange. amusement rooms, service clubs, chapels, gymnasiums, and libraries. including periodicals and other publications and subscriptions for newspapers, salaries and travel of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, \$31,372.

Welfare of enlisted

TRAVEL, MILITARY AND CIVIL PERSONNEL

For mileage, reimbursement of actual traveling expenses, or per civil personnel. diem allowance in lieu thereof, as authorized by law for official travel on military and nonmilitary duty under the War Department, to commissioned officers (including discharged officers to their homes), warrant officers, contract surgeons, and expert accountant, Inspector General's Department; for transportation of troops, Philippine Scouts, nurses, flying cadets, enlisted men (including discharged enlisted men to their homes or places of enlistment); for transportation of recruits and recruiting parties and of applicants for enlistment between recruiting stations and recruiting depots; and rejected applicants for enlistment; for transportation of dependents of officers, warrant officers, and enlisted men as provided by law; for transportation of general, paroled, escaped, and discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service to their homes or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; transportation of cadets and accepted cadets from their homes to the Military Academy and discharged cadets, including reimbursement of traveling expenses; for traveling expenses of civilian witnesses before courtsmartial; for traveling expenses of attendants accompanying remains of military personnel and civilian employees; and for traveling etc. expenses of civilian employees and other persons under the War Department authorized by law to travel on departmental, military, and nonmilitary duty, \$2,522,897, and no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Restriction on use of Department, execut the appropriation "Continuous of the Army "Restriction on use of the Army of funds." Department, except the appropriation "Contingencies of the Army

Dependents, etc.

Civilian employees,

and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, citizens' military training camps, the nonmilitary activities of the Corps of Engineers, Proviso.
Transportation rate. and the Panama Canal, and except as may be provided for in the appropriation "Air Corps, Army": Provided, That no appropriation contained in this Act shall be available for the payment of passenger transportation at a rate in excess of the lowest through rate or combination of rates available for the type of transportation

Finance Depart-

FINANCE DEPARTMENT

Pay, etc., of the Army.

PAY, AND SO FORTH, OF THE ARMY

Officers.

Limitation.

National Guard. Aviation increase.

Longevity.

Enlisted men. A viation increase.

Civil service messen-gers at headquarters.

Contract nurses, etc. surgeons,

Rental allowances.

Proviso. No allowance, occupying quarters at permanent station.

U.S.C., p. 1187.

Subsistence allowances
Loss by exchange.

Deducting sums from purchase of discharges.

For pay of not to exceed an average of twelve thousand commissioned officers, \$28,617,645, no part of which sum shall be available after September 30, 1934, for the pay of more than eleven thousand seven hundred and fifty commissioned officers whose original commissions are dated prior to June 1, 1934; pay of officers, National Guard, \$100; pay of warrant officers, \$1,336,407; aviation increase to commissioned and warrant officers of the Army not to exceed Flights by nonflying \$1,579,410, none of which shall be available for increased pay for making aerial flights by nonflying officers above the grade of captain at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers above the grade of captain; additional pay to officers for length of service, \$7,039,844; pay of enlisted men of the line and staff, not including the Philippine Scouts, \$45,946,153; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$457,904; pay of enlisted men of the Philippine Scouts, \$945,401; additional pay for length of service to enlisted men, \$3,453,300; pay of the officers on the retired list, \$9,188,436; increased pay to not to exceed five retired officers on active duty, \$5,775; pay of retired enlisted men, \$11,610,000; pay of retired pay clerks, \$1,519; pay not to exceed sixty civil-service messengers at not to exceed \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$64,800; pay and allowances of contract surgeons, \$46,148; pay of nurses, \$759,204; pay of hospital matrons, \$540; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$5,386,786: Provided, That during the fiscal year ending June 30, 1935, no rental allowance shall accrue to any officer of the Government in consequence of the provisions found in section 10, title 37, United States Code, while occupying quarters at his permanent station not under the jurisdiction of the service in which serving but which belong to the Government of the United States, or to a corporation the majority of the stock of which is owned by the United States, in excess of the rental rate charged for such quarters on March 5, 1934; subsistence allowances, \$5,290,521; interest on soldiers' deposits, \$30,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$100; in all, \$121,760,093, less \$285,000 to be supplied by the Secretary of War for this purpose from funds received during the fiscal year 1935 from the purchase by enlisted men of the Army of

their discharges, \$121,475,093; and the money herein appropriated for "Pay, and so forth, of the Army" shall be accounted for as one fund. Accounted for, as one fund except that no amount in this paragraph specifically limited may be increased: Provided, That no part of this appropriation shall be available to pay any officer detailed as a military aide to any aide restricted. civil officer of the United States outside of the War Department except the President: Provided further, That no appropriation contained in this Act shall be available for or on account of the maintenance of more than thirty-two military attachés: Provided further. That no appropriation contained in this Act shall be avail- of bands. able for or on account of the maintenance of more than organ, bands: Provided further, That during the fiscal year ending June nishing mounts or service as addition for furnishing mounts or service as a furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a furnishing mount of the furnishing mounts or service as a f able for or on account of the maintenance of more than eighty-three May 11, 1908 (U.S.C., title 10, sec. 803), or of section 1261 of the 220; U.S.C., pp. 198, Revised Statutes (U.S.C., title 10, sec. 692).

None of the money appropriated in this Act shall be used to pay Pay forbidden to a any officer on the retired list of the Army who for himself or for supplies to Army. others engages in the selling, contracting for the sale of, negotiating for the sale of, or furnishing to the Army or the War Department any supplies, materials, equipment, lands, buildings, plants, vessels, or munitions. None of the money appropriated in this Act shall fore 64, employed by be paid to any officer on the retired list of the Army who, having parties making sales to be parties.

To officer retired before 64, employed by parties making sales to be parties. been retired before reaching the age of sixty-four, is employed in the United States or its possessions by any individual, partnership, corporation, or association regularly or frequently engaged in making direct sales of any merchandise or material to the War Depart-

ment or the Army. No appropriation for the pay of the Army shall be available for Engaged in issuing the pay of any officer or enlisted man on active list of the Army who tions. is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: Provided, however, That nothing herein contained shall be construed to prohibit officers from writing or disseminating

articles in accordance with regulations issued by the Secretary of War.

EXPENSES OF COURTS-MARTIAL

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, \$55,000.

APPREHENSION OF DESERTERS, AND SO FORTH

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$10 to prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, \$20,000.

Provisos.

Detail as military aide restricted.

Proviso. Exemption.

Courts-martial, etc.

Deserters, etc., ap-prehension of.

Finance Service.

FINANCE SERVICE

Pay of clerks, etc. For compensation of clerks and other employees of the Finance U.S.C., Supp. VII, p. Department, including not to exceed \$450 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), \$966,114.

Private property damages.

CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY

Payment of claims.

For payment of claims not exceeding \$500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, \$10,000: Provided, That eral Accounting office. Settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

Destruction of private property of officers, enlisted men, and nurses of the army for cers, etc.

Destruction of private property

Destruction of private property DESTRUCTION OF PRIVATE PROPERTY

Payment of claims

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned or damaged in the military services of the United States, doned, or damaged in the military services of the United States, under the provisions of an Act approved March 4, 1921 (U.S.C., title 31, secs. 218-222), \$15,000.

Vol. 41, p. 1436. U.S.C., p. 989.

Quartermaster Corps.

QUARTERMASTER CORPS

Subsistence. Purchase of supplies, for issue as rations.

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation allowances of commutation in the latest and applicant for enlisted men on furlough, enlisted men on furlough, enlisted men on furlough. when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in department and Army rifle competitions when traveling to and from places of contest, applicants for enlistment, and general prisoners while traveling under orders. For payment of the regulation allowances of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from

the Army schools for bakers and cooks, the total amount of such

Advertising. Prizes for bakers and

prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, \$16,000,000: Provided, That none of the money appropriated in this Act shall be used for the purchase of oleo-striction. margarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; stoves required for the use of the Army for heating offices, hospitals, barracks, and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; authorized issues of candles and matches; for post bakery and bakeoven equipment and apparatus; for ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, supplies, etc. paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, market reports, and so forth; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$2,576,880.

Clothing and equipage: For cloth, woolens, materials, and for Clothing, etc. the purchase and manufacture of clothing for the Army, including ture, etc. retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allow-

Subsistence supplies.

Proviso. Oleomargarine re-

Regular quartermas-ter supplies.

Bakeries, ice, etc.

Forage, etc.

Stationery, etc.

Laundries, etc.

Indemnity for destroyed clothing, etc.

Fuel.

Incidental expenses.

Civilian personnel. Living quarters.

p. 20.

Recruiting. Tests, etc.

Inspection service.

Proviso. A verage number employed.

Transportation troops and supplies.

Drayage, etc.

Vehicles.

ances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling Citizen's outer cloth- and similar necessaries; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued to each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$4,207,112, of which amount not exceeding \$60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1935.

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, including not to exceed \$9,325 in the aggregate or \$450 for any one person for allowances for living quarters, including heat, fuel, and light, as U.S.C., Supp. VII, authorized by the Act of June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks, and incidental expenses of recruiting; for the operation of coffee-roasting plants; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, \$3,218,307: Provided, That no appropriation contained in this Act shall be available for any expense incident to the employment of an average number of officers, enlisted men, or civilian employees greater than the largest number employed during the fiscal year ended June 30, 1929, in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs.

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for the purchase or construction, not to exceed \$10,000, alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motorpropelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes, Travel allowances, to exceed \$461,812, exclusive of labor; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the Act of March U.S.C., p. 197.

U.S.C., p. 197. Guard on discharge from Federal service, as prescribed in amendatory Act of September 22, 1922 (U.S.C., title 10, sec. 752), and to

members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, \$7,702,359, of which amount not exceeding \$250,000 shall be available immediately for the procurement and transportation of of this appropriation shall be available for the purchase or exchange vehicles restricted.

Of motor-propelled passenger-carrying vehicles restricted. of motor-propelled passenger-carrying vehicles except that completely assembled and equipped motor-propelled trucks, including station wagon types, to cost not to exceed \$750 each, including the value of any vehicle exchanged, may be purchased out of savings that would accrue to this appropriation and to other appropriations for the fiscal year 1935 under the Quartermaster Corps, and to the appropriation "Travel, Military and Civil Personnel", from a lessened expense on account of the maintenance of animals, for or on account of the purchase, maintenance, and operation of animal-drawn equipment, or for or on account of rail transportation of persons and materials, owing to the employment of such vehicles: Provided fur- for salvaging, etc. ther, That, effective January 1, 1935, no appropriation contained in this Act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tractors, ambulances, fire trucks, and vehicles now in use by Reserve Officers' Training Corps units: Provided further, That no appropriation contained in this Act shall be available for any expense for restricted. or incident to the transportation of privately owned automobiles except on account of the return to the United States of such privately owned automobiles as may have been transported to points outside of the continental limits of the United States at public expense prior to July 14, 1932: Provided further, That during the fiscal year 1935 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

HORSES, DRAFT AND PACK ANIMALS

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$69,789) for encouragement of the breeding of riding horses suitable for the ing of riding horses. Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$219,789.

BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For all expenses incident to the construction, installation, operastruction, maintenance of buildings, utilities, appurtenances, and
accessories pagescary for the chalten with the chalten and the chalten are the chalten and the chalten are the chalten and the chalten are the chalten accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of

Fuel.

Exceptions.

Transportation costs charged to appropria-tion from which supplies procured.

Horses, etc.

Purchase, etc.

Barracks, quarters,

Rentals.

Water, roads, etc.

quarters, etc.

Fuel. Rent

trict.

Rentals for military

Limitation on additional construction.

Stable rent.

Fort Monroe, Va.

Wharf, etc.

Roads, etc.

Sewers, supplies.

Hospitals.

Construction, repair.

grounds, flooring and framing for tents, rental of buildings, including not to exceed \$900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes and lodgings for recruits and applicants for enlistments, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms Target practice, etc. target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, for Heat and light for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and Recreation buildings. for recruits, guards, hospitals, storehouses, offices, the buildings U.S.C., p. 292. erected at private cost, in the operation of the Act approved May 31, erected at private cost, in the operation of the Act approved May 31, 1902 (U.S.C., title 10, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, \$9,155,695, and \$2,500,000 of this appropriation shall be available immediately for the procurement and transportation of fuel for the service of the Provisos. Rent outside Dis. fiscal year 1935: Provided, That not more than \$16,000 of the appropriations contained in this Act shall be available for rent of offices outside the District of Columbia in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs: Provided further, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: Provided further, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: Provided further, That the monthly rental rate to be paid out of this appropriation for stabling any

SEWERAGE SYSTEM, FORT MONROE, VIRGINIA

animal shall not exceed \$10.

For repair and maintenance of wharf and apron of wharf, including all necessary labor and material therefor, fuel for waiting rooms; water, brooms, and shovels, \$20,280; for one third of said sum, to be supplied by the United States, \$6,760.

For rakes, shovels, and brooms; repairs to roadway, pavements, macadam, and asphalt block; repairs to street crossings; repairs to street drains, and labor for cleaning roads, \$8,469; for two thirds of said sum, to be supplied by the United States, \$5,646.

For waste, oil, motor and pump repairs, sewer pipe, cement, brick, stone, supplies, and personal services, \$6,690; for two thirds of said sum, to be supplied by the United States, \$4,460.

CONSTRUCTION AND REPAIR OF HOSPITALS

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the

requirements of increased garrisons, and for temporary hospitals in hospitals, etc. standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, \$429,521.

camp

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

Telegraph and telephone systems: Purchase, equipment, operation, phone systems. d repair of military telegraph, telephone, radio, cable, and signal-Purchase, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, canton-ment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military Electrical installaposts, cantonments, camps, and stations of the Army, fire control, and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investiga- Experimental research, etc. tion, research, purchase, and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$1,948,997, of which amount tions. not to exceed \$255,796 shall be available immediately and not to exceed \$45,000 shall be available exclusively for experimental investigation of the micro-ray.

Signal Corps.

Signal Service.

Local exemption.

Civilian employees.

Air Corps.

AIR CORPS

AIR CORPS, ARMY

Designated purposes.

Aircraft etc

ways,

Helium gas.

Civilian employees.

Purchase, develop-ment, etc., of aircraft.

Balloons.

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical operation, instruction; for maintenance, repair, storage, and operation of airships, war balloons and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts Landing, etc., run- and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, helicopters and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, application for letters patent, licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith, and during the fiscal year 1935, subject to the approval of the Chief of the Air Corps, transfers may be made from this appropriation to the appropriations contained in this Act, entitled Signal Service of the Army" and "Ordnance Service and Supplies, Army," for the procurement of aircraft radio equipment and air-Marking military aircraft armament, respectively; for the marking of military airways where the purchase of land is not involved; for the purchase, manuspecial clothing, etc. facture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities Consulting engineers. for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs and replacements of same used in connection with special scientific medical research in the Air Outside printing Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft,

\$22,396,453: Provided, That from the amount herein appropriated and the amount herein authorized for obligation not to exceed ments \$3,150,206 may be expended for pay of civilian employees other than those employed in experimental and research work; not exceeding \$10,000 may be expended for the procurement of helium from um the Bureau of Mines, of which sum such amounts as may be required may be transferred in advance to that Bureau; not exceeding \$3,848,-824 may be expended for experimental and research work with air- Experimental and research work. planes or balloons and their equipment, including the pay of necessary civilian employees; not less than \$8,486,600, which shall be available immediately, shall be expended for the production or purchase of new airplanes and their equipment, and accessories, of which \$6,365,100 shall be available exclusively for combat airplanes, their equipment and accessories; not less than \$8,091,089 shall be expended, other than for pay of civilian employees, for aviation fuel and oil etc. and for the repair and maintenance of airplanes and their equipment, spare parts, and accessories, and of such sum not exceeding \$155,582, for expenditure for like objects, shall be transferred to the National Guard. National Guard subappropriation contained in this Act, entitled "Arms, Uniforms, Equipment, and so forth, for Field Service, National Guard", on account of seventy-six airplanes of the observation type, which shall be transferred from the Regular Army to the National Guard during the fiscal year 1935; and not more than \$6,000 may be expended for settlement of claims (not exceeding \$250 each) for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War: Provided furby the Unier of Air Corps and the Secretary of War: Provided fur- Contracts authorized ther, That in addition to the amounts herein provided for the pro- planes, etc. curement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes, the Chief of the Air Corps when authorized by the Secretary of War, may enter into contracts prior to July 1, 1935, for the procurement of new airplanes. and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of \$3,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: Provided further, Sums for incurred obligations. That the sum of \$101,560 of the appropriation for Air Corps, Army, fiscal year 1932, shall remain available until June 30, 1935, for the payment of obligations incurred under contracts executed prior to July 1, 1932.

For an additional amount for the improvement, development, and augmentation of aviation materiel, and for the training of military military aviation managements aviation personnel, to be immediately available, \$5.000,000, of which terial, etc. aviation personnel, to be immediately available, \$5,000,000, of which not less than \$3,000,000 shall be expended for the procurement of airplanes and their equipment, spare parts, and accessories for the Regular Army and the National Guard; not to exceed \$1,000,000 shall be expended for aviation fuel and oil and for the repair and maintenance of airplanes and their equipment and accessories for the training of military aviation pilots; and not to exceed \$1,000,000 shall be available for expenditure in the discretion and under the direction of the President, as follows: For airplane accessories for the Regular Army and National Guard; for the investigation and development of a national aviation program, including the employment of personal services without regard to the Classification Act sification Act.

The processory expenses incident U.S.C.; p. 65; Supp. of 1923, as amended, and all other necessary expenses incident VII.C., p. 65; Supp. thereto; for the encouragement of development of types of airplanes, airplane engines, and aviation equipment, including the

Provisos. Designated allot-Civilian employees.

Procurement of heli-Ante, p. 564.

New airplanes, etc.

Fuel and oil, repairs,

Settlement of claims.

Aviation fuel and oil, repairs, etc.

Other designated expenditures.

Technical, etc., in granting of awards; for compensation (not exceeding \$10,000) for information to be obtained from an authoritative source in such form and manner as the President may desire as to geographic, meteorologic and weather conditions in northern latitudes, and for such other purposes related to civil and military aviation as the President may deem proper.

Medical Department.

MEDICAL DEPARTMENT

ARMY

MEDICAL AND HOSPITAL DEPARTMENT For the manufacture and purchase of medical and hospital sup-

plies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required

for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary

not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers

in conformity with the Act of Congress approved May 11, 1908, (U.S.C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Depart-

employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and

water for analysis; for supplies for use in teaching the art of cooking

Army and Navy Hospital at Hot Springs, Arkansas; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,105,038.

Supplies.

Private treatment

Not applicable, if on entitled thereto by law, regulation, or contract: Provided, That this furlough.

Contagious, etc., diseases, expenses.

Insane Filipino soldiers. Vol. 35, p. 122, U.S.C., p. 681.

Transporting sup. ment; for the payment of express companies and local transfers

Hot Springs, Ark., to the enlisted force of the Medical Department; for the supply of hospital.

Canal Zone.

plies, etc

Care of troops at hospitals in.

ments.

HOSPITAL CARE, CANAL ZONE GARRISONS For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority, \$40,000: Provided, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for civilian employees of the Army admitted thereto upon the request enlisted patients in general hospitals.

surgeons; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners

of war and other persons in military custody or confinement, when shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages

ARMY MEDICAL MUSEUM

Army Medical Mu-seum.

For Army Medical Museum, preservation of specimens, and the Preservation etc., of preparation and purchase of new specimens, \$6,232.

LIBRARY, SURGEON GENERAL'S OFFICE

Library.

For the library of the Surgeon General's office, including the purchase of the necessary books of reference and periodicals, \$14,300.

Purchase of books.

Corps of Engineers

Engineer Corps.

ENGINEER SERVICE, ARMY

Equipment, instru-For the design, development, procurement, maintenance, alteration, ments, etc. repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the opera-Engineer School. Maintenance, etc. tion and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scien-

tific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside of the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication serv-

Military maps.

Rent.

Operating, etc., ex-

Ordnance Department

ice, not otherwise provided for; and for the compensation of

employees required in these activities, \$332,988.

Ordnance Depart-

ORDNANCE SERVICE AND SUPPLIES, ARMY

Ordnance service and

Current expenses.

For manufacture, procurement, storage and issue, including Manufacture, issue, research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting, and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding fifty days each, and for their necessary shall be available exclusively for the procurement of complete combat rifles, etc.

Ammunition for mili-

Publications.

Consulting engineers.

matic rifles, including the purchase or manufacture of gauges, dies, and jigs for use in connection with the production of such rifles, all in addition to such types of procurement as may be made in connection with research and development.

Rock Island, Ill.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

Operating bridges, ete

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, \$27,300.

Arsenals.

REPAIRS OF ARSENALS

Repairs, etc.

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, \$694,831.

Gauges, dies, and

GAUGES, DIES, AND JIGS FOR MANUFACTURE

Procuring, for armament manufacture.
Vol. 39, p. 215.
U.S.C., p. 1694.

For the development and procurement of gauges, dies, jigs, and other special aids and appliances, including specifications and detailed drawings, to carry out the purpose of section 123 of the National Defense Act, approved June 3, 1916 (U.S.C., title 50, sec. 78), \$70,100.

Chemical Warfare

CHEMICAL WARFARE SERVICE

For purchase, manufacture, and test of chemical warfare gases or

Purchase, man ture, etc., of gases. manufac-

other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes, including all necessary investigations, research, design, experimentation, and operation connected therewith; purchase of chemicals, special scientific and technical apparatus and instruments; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubrications and silver and silve Plants, buildings, machinery, etc. cants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and adding machines, including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization training and equipment of special goal dental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers, and ten thousand gas masks, appropriate for training purposes, may be transferred, without reimbursement, to the National Guard for distribution as may be determined by the Chief of the National Guard Bureau; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance

Organizing, etc., special gas troops.

Current expenses.

repairing butts and targets, clearing and grading ranges, \$1,257,369. CHIEF OF INFANTRY

of rail transportation, repairs, alterations, accessories, building and

Infantry school, Fort Benning, Ga.

INFANTRY SCHOOL, FORT BENNING, GEORGIA

Instruction expenses.

For the procurement of books, publications, instruments, and materials, and other necessary expenses for instruction at the Infantry School, and for pay of employees at the Infantry School and in the office of the Chief of Infantry, \$59,805.

CHIEF OF CAVALRY

CAVALRY SCHOOL, FORT RILEY, KANSAS

Cavalry School, Fort Riley, Kans.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas, \$19,432.

Instruction expenses,

CHIEF OF FIELD ARTILLERY

FIELD ARTILLERY INSTRUCTION ACTIVITIES

Field Artillery ac-tivities.

For the pay of employees, the purchase of books, pamphlets, periodicals, and newspapers, procurement of supplies, materials, and equipment for instruction purposes, and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities, \$23,718.

Instruction expenses.

CHIEF OF COAST ARTILLERY

COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

Coast Artillery School, Fort Monroe,

Instruction expenses.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures; for machinery; for maintenance, operation, and repair of motor trucks; and unforeseen expenses; in all, \$27,262.

SEACOAST DEFENSES

Seacoast defenses.

For all expenses incident to the preparation of plans and the under specified construction, purchase, installation, equipment, maintenance, repair, branches. and operation of fortifications and other works of defense, and their accessories, including personal services, maintenance of channels to submarine mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States, \$668,766: Insular departments, \$222,648; Panama Canal, \$270,391; In all, \$1,161,805.

UNITED STATES MILITARY ACADEMY

Military Academy.

PAY OF MILITARY ACADEMY

Pav. etc.

Cadets: For pay of cadets, \$867,672: Provided, That during the entitled to receive any increase in pay or allowances because of detail restriction.

Cadets. Provises.

Army shall be army detail, pay or assignment to duty in any capacity at the Military Army detail. entitled to receive any increase in pay or anowances because of account or assignment to duty in any capacity at the Military Academy:

Provided, That the duties of librarian of the United States Military as librarian.

Retired Army officer of the Regular Army

R.S., sec. 1251, p. 218.

Cadets.

73d CONGRESS. SESS. II. CH. 165. APRIL 26, 1934.

U.S.C., p. 204.

retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose. Civilians: For pay of employees, \$235,706.

Maintenance

MAINTENANCE, UNITED STATES MILITARY ACADEMY

Designated expenses.

For text and reference books for instruction; increase and expense of library (not exceeding \$6,000); office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates (not exceeding \$1,100); expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for payment of commutation of rations for the cadets of the United States Military Academy in lieu of the regular established ration; maintenance of children's school (not exceeding \$12,200); contingencies for superintendent of the academy, to be expended in his discretion (not to exceed \$3,500); expenses of the members of the Board of Visitors (not exceeding \$1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding \$500); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; and other necessary incidental expenses in the discretion of the superintendent; in all, \$1,089,882.

Board of Visitors.

National Guard.

NATIONAL GUARD

Arming, etc.

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Forage, etc.

For procurement of forage, bedding, and so forth, for animals used by the National Guard, \$585,537.

Care of animals, etc.

For compensation of help for care of materials, animals, and equipment, \$1,810,263.

Instruction expenses, etc.

For expenses, camps of instruction, field and supplemental training, and including medical and hospital treatment authorized by law, and the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, \$8,888,440.

Service schools, instruction, etc. For expenses, selected officers and enlisted men, military service, schools, including medical and hospital treatment authorized by law, \$187,011.

Property, etc., officers. For pay of property and disbursing officers for the United States, \$73,170.

Equipment, etc.

For general expenses, equipment, and instruction, National Guard, including medical and hospital treatment authorized by law, and the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger- and non-passenger-carrying vehicles, \$660,869.

For travel of officers, warrant officers, and enlisted men of the Regular Army in connection with the National Guard, \$171,880:

Travel, Army offi-

rroviaea, That not to exceed \$2,000 of this sum shall be expended for War Department travel of officers of the War Department General Staff in connection General Staff. with the National Guard.

For transportation of equipment and supplies, \$175,000.

For expenses of enlisted men of the Regular Army on duty with the National Guard, including the hiring of quarters in kind, \$283,498.

For pay of National Guard (armory drills), \$11,756,221: Provided, That the appropriations contained in the Naval Appropriation Act for the fiscal year 1935 for drills for members of the Naval and Marine Corps reserve forces shall be available for the conduct of 48 drills for each of such forces.

No part of the appropriations made in this Act shall be available No pay to National for pay, allowances, or traveling or other expenses of any officer drawing pension. or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: Proprovisions waived if pension surrendered. prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: Provided further, That present service in the National Guard: Provided further, That present Adjutants general who may be drawing such emoluments may be continued in present adjutants general who may be drawing such emoluments may be status without pay. continued in a federally recognized status without pay under this Act.

ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

To procure by purchase or manufacture and issue from time to Procuring arms, etc., time to the National Guard, upon requisition of the governors of Requisitions from the several States and Territories or the commanding general, governors, etc. National Guard of the District of Columbia, such military equipment and stores of all kinds and reserve supply thereof as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, and to repair such of the aforementioned articles of equipage and military stores as are or may become damaged when, under regulations prescribed by the Secretary of War, such repair may be determined to be an economical measure and as necessary for their proper preservation and use, \$3,355,541, and all of the sums appropriated in this Act on account of the National Guard shall be accounted for as one fund and of the total of such sums \$3,000,000 shall be available immediately: Provided, That funds now and herein made available to the National Guard Bureau may be used for the purchase of motor-trucks, propelled trucks and station wagons, and trailers, at a cost per competitive bidding. vehicle not to exceed \$800, \$700, and \$525, respectively, and the specifications for such vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard as determined by the Chief of the National Guard Bureau: Provided further, That the Secretary of War is hereby authorized to issue surplus or reserve stores plus stores. and material on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery, Engineer, and Signal material and ammunition as may be needed by the National Guard organized under the provisions of the Act entitled 45, p. 406. U.S.C.,p. 1034; supp. national defense, and for other purposes", approved June 3, 1916

Transporting supplies.
Army enlisted men, detail.

Pay, armory drills. Proviso. Use of naval fund. Ante, p. 407.

Field service.

Purchase of motor

Clothing, equipment, etc, from Army sur-

Issue without charge to appropriations.

(U.S.C., title 32, sec. 21), as amended. This issue shall be made without charge against militia appropriations except for actual expenses incident to such issue.

no increase of mounted, etc., units.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted and medical units, and military police, wagon and service companies of the National Guard than were in existence on June 30, 1932.

Organized Reserves.

ORGANIZED RESERVES

Officers' Reserve

Provisos. Mileage allowance.

Enlisted Reserve

Correspondence, etc.,

Training manuals.

Establishment, etc., headquarters and training camps.

Vehicles.

Travel expenses.

Purchase, etc., air-

Medical and hospital treatment, etc., ir curred in line of duty.

Vol. 45, p. 461. U.S C., Supp. VII, p.

Proviso. Divisional, etc., headquarters

Other funds not to be used.

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: Provided, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for fifteen days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and materiel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed \$308,400 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the Act of April 26, 1928 (U.S.C., Supp. VI, title 10, secs. 451, 455), and for such other purposes in connection therewith as are authorized by the said Act, Burial expenses. including pay and allowances, subsistence, transportation, and burial expenses; in all, \$4,278,859; and no part of such total sum shall be religious re-available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: *Provided*, That not to exceed \$100,000 of this appropriation may be used for establishment and maintenance of divisional and regimental headquarters.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Regular Army, and for mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law, to Air Corps reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent possible.

No appropriation made in this Act shall be available for pay, No pay to officer allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government

of the United States. No appropriation made in this Act shall be expended for the pay of Reserve officer a reserve officer on active duty for a longer period than fifteen days, striction. except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the Army Reorganization Act approved June 4, 1920 (U.S.C., title 10, secs. 26, 37), or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps, appropriated for in this Act, or who may be detailed for duty with tactical units of the Air Corps, as provided in section 37a of the Army Reorganization U.S.C., p. 183.

Act approved June 4, 1920 (U.S.C., title 10, sec. 369): Provided, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers in Army hospitals. and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Army funds. from administration under existing law.

CITIZENS' MILITARY TRAINING

RESERVE OFFICERS' TRAINING CORPS

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and materiel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the

General Staff detail. Vol. 41, pp. 760, 765.

Other details.

Citizens' Training. Military

Reserve C Training Corps. Officers.

Quartermaster plies for units of.

Training Camps.

Travel allowance.

Subsistence commutation to senior division members.

Vol. 41, p. 778. U.S.C., p. 185.

Burial expenses.

p. 462. U.S.C., p. 186; Supp. VII, p. 109. pendents, etc.

Vehicles.

Provisos. Issue of Army horses.

Uniforms, etc., from Army surplus stock.

Current

Additional units forbidden.

No additional stu-ents in designated

Use of other funds forbidden.

Other schools and colleges.

Issue of military supplies, etc., to.
Vol. 41, p. 780.
R.S., sec. 1225, p. 216.

rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Vol. 39, p. 193; Vol. Army, as authorized in the Act approved June 3, 1916, as amended U.S.C., p. 184.

Medical, etc., treatment, injured in line of medical and hospital treatment until return to their homes and further than the second of the garrison ration presented to the garrison ration ration presented to the garrison ration ratio ther medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury or contract disease in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a of the National Defense Act approved June 3, 1916 (U.S.C., title 10, sec. 441), as amended; and for the cost of preparation and transportation to their homes and burial expenses of the remains of members of the Reserve Officers' Training Corps who die while attending Vol. 43, p. 365; Vol. 45, camps of instruction as provided in the Act approved April 26, 1928 (U.S.C., Supp. VI, title 10, sec. 455); for mileage, traveling expenses, II, p. 109.
Transporting de or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the maintenance, repair, and operation of motor vehicles, \$3,108,701; of which \$400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: Provided, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in price to the manufacture or issue: Provided further, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: Provided further, That none of the funds appropriated in this Act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: Provided further, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Medical Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: Provided further, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers

MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES

and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

For the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (U.S.C., title 10, sec. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may

be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, \$8,900.

CITIZENS' MILITARY TRAINING CAMPS

Act of June 3, 1916, as amended (U.S.C., title 10, sec. 442), uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, or subsistence allowances and transportation, or transportation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs. of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding \$20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital Treatment, etc., in treatment, subsistence, and transportation, in case of injury or disease contracted in line of duty, of members of the citizens' military training camps and for transportation and burial of remains of any such members who die while undergoing training or hospital treatment, as provided in the Act of April 26, 1928 (U.S.C., Supp. VI, ment, as provided in the Act of April 26, 1928 (U.S.C., Supp. VI, U.S.C., Supp. vii, title 10, secs. 454, 455); in all \$1,000,000: Provided, That the funds provided. herein appropriated shall not be used for the training of any person in the first year or lowest course, who shall have reached his twentyfourth birthday before the date of enrollment: Provided further, forbidden. Use of other funds That none of the funds appropriated elsewhere in this Act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military training camps: Provided further, Army surplus stocks That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: Provided further, That in no govern case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under control of the War Department be in excess of the price current at the time the issue is made.

Under the authorizations contained in this Act no issues of reserve Army reserve supplies. supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or one million men.

U.S.C., p. 213. Vol. 41, p. 776.

Citizens' military training camps.

Maintenance

Age limitation.

Uniforms, etc., from

Current price to

Promotion of rifle practice.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Civilian instruction. QUARTERMASTER SUPPLIES AND SERVICES FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION

Quartermaster sup-plies, etc., for rifle ranges, etc.

To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services, including not exceeding \$15,000 in the District of Columbia; for badges and other insignia; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in Participation in marksmanship, and their participation in national and international matches, to be expended under the direction of the Secretary of War, \$17,178.

matches

Instructors, etc.

Rifle contests.

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS

Furnishing national trophy medals, etc.
Vol. 45, 786; U.S.C., of Rifle Practice in accordance with the provisions of the Act Supp. VII, p. 780.

on Provided May 28, 1928 (U.S.C. Supp. VII, p. 780. approved May 28, 1928 (U.S.C., Supp. VI, title 32, sec. 181c), \$3,000.

Ordnance equipment, civilian instruction.

ORDNANCE EQUIPMENT FOR RIFLE RANGES FOR CIVILIAN INSTRUCTION

Arms, ammunition,

For arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, \$125,000.

No pay to officer, etc., using time-measuring device.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

activ- TITLE II—NONMILITARY ACTIVITIES OF THE WAR DEPARTMENT

Quartermaster Corps.

Nonmilitary

QUARTERMASTER CORPS

CEMETERIAL EXPENSES

National cemeteries. Maintenance, etc.

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, laborers and other employees, purchase of tools and materials; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery,

Arlington, Va.

and permanent American cemeteries abroad, including not to exceed \$2,250 in the aggregate or \$450 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a); for repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; for headstones for unmarked graves of soldiers, sailors, and Headstones for marines under the Acts approved March 3, 1873 (U.S.C., title 24, Vol. 20, p. 281; Vol. sec. 279), February 3, 1879 (U.S.C., title 24, sec. 280), March 9, 1906 768; Vol. 45, p. 1307. (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, U.S.C., p. 687; Supp. 1929 (U.S.C., Supp. VI, title 24, sec. 280a), and civilians interred in post cometeries: for progressive and the disposition of the second se of military personnel and civilian employees of the Army under Act approved March 9, 1928 (U.S.C., Supp. VI. title 10 see 918). for approved March 9, 1928 (U.S.C., Supp. VI, title 10, sec. 916); for the care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate section in Greenlawn Cemetery at Indianapolis, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, right-of-way which may have been acquired by the United States bidden. leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: Provided further, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

For repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell, \$698.

SIGNAL CORPS

WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM

For defraying the cost of such extensions, betterments, operation, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year 1936, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, \$146,055.

CORPS OF ENGINEERS

RIVERS AND HARBORS

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers:

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized thorized projects. as may be most desirable in the interests of commerce and navigaboundary and connecting waters as heretofore authorized, including etc., survey. the preparation, correction, printing and issuing of the state of t the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters New York harbor.

Cemeteries abroad.

Living quarters, etc. Vol. 46, p. 818. U.S.C., Supp. VII, p. 20.

Roadways, etc.

Confederate ceme-

Repairs restricted.

Burial plots in Cuba and China.

Signal Corps.

Washington-Alaska cable, etc

Operation, extension, etc.

From receipts.

Engineer Corps.

Rivers and harbors.

Immediately avail-

Preservation, of au-

waters.

Commission. Vol. 27, p. 507. U.S.C., p. 1086.

Printing.

Provisos.
Unauthorized projects forbidden.
Survey of Governors
Island as an airport.

vehicles. Vol. 38, p. 508. U.S.C., p. 33.

Flood control. Mississippi River,

Emergency fund for

California Débris of New York City; for expenses of the California Débris Commission. Sol. 27, p. 507. sion in carrying on the work authorized by the Act approved March 1, 1893 (U.S.C., title 33, sec. 661); for examinations, surveys, and contingencies of rivers and harbors; and for printing, including illustrations, as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Convol. 45, p. 538. U.S.C., Supp. vII. Congress, first session, and section 10 of the Flood Control Act, approved May 15, 1928 (U.S.C., Supp. VI, title 33, sec. 702j), and such surveys as may be printed during a recess of Congress, and printed as documents of the next succeeding session of Congress, and for the purchase of motor-propelled passenger-carrying vehicles and motor boats, for official use, not to exceed \$122,417: Provided, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$23,966,645, of which sum \$50,000 shall be available, under the direction of the President, for conducting a survey of Governors Island, New York, to determine its usefulness and adaptability as an airport and the cost of Power-driven boat accomplishing all work incidental to effecting the change: Provided further, That no appropriation under the Corps of Engineers for the fiscal year 1935 shall be available for any expense incident to operating any power-driven boat or vessel on other than Government business: Provided further, That authority is granted for the purchase of motor-propelled passenger-carrying vehicles and motor boats, not to exceed \$52,900, to be paid from available funds for "Flood control, Mississippi River and tributaries", and not to exceed \$2,250 to be paid from available funds for "Flood control, Sacramento River, California", for official use in connection with such works.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood vol. 45, 534, U.S.C., Control Act, approved May 15, 1928 (U.S.C., Supp. VII, title 33, 549, VII, p. 784. sec. 702a), \$29,000,000.

Emergency fund for flood control on tributaries of Mississippi Emergency fund for nood control on cristative stributaries.

Vol. 45, p. 537; Vol. River: For rescue work and for repair or maintenance of any floodu.s.C., supp. vii, control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 7 of Flood Control

A sec. 702g). Act, approved May 15, 1928 (U.S.C., Supp. VI, title 33, sec. 702g), \$341.291.

Panama Canal.

THE PANAMA CANAL

Limitations not applicable to appropria-tions for.

All expenses. Objects specified.

The limitations on the expenditure of appropriations hereinbefore made in this Act shall not apply to the appropriations for the Panama Canal.

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding \$1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and

Claims for damages.

operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sales; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor. \$10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (U.S.C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; for continuing the construction of the Madden Dam across the Chagres River at Alhajuela for the storage of water for use in the maintenance and operation of the Panama Canal, together with a hydroelectric plant, roadways, and such other work as in the judgment of the Governor of the Panama Canal may be necessary, to cost in the aggregate not to exceed \$15,500,000; in all, \$4,971,490, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the ficers United States Public Health Service detailed with the Panama

Canal as chief quarantine officer, \$768,501.

For civil government of the Panama Canal and Canal Zone, Civil expense. including gratuities and necessary clothing for indigent discharged prisoners, \$792,935.

Total, Panama Canal, \$6,532,926, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1935 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the canal, and to others unable to obtain the same elsewhere;

Acquisition of land.

Emergencies.

Operation, etc. Governor's salary. Purchase of supplies,

Payment to alien cripples.
Vol. 39, p. 750.
U.S.C., p. 81.

Madden Dam. Vol. 45, p. 363.

Sanitation, etc. Lepers, etc.

Chief quarantine of-

Civil government.

Availability. Credits allowed.

from the sale of scrap and other by-products of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Water, sewers, pave-

In addition there is appropriated for the operation, maintenance, ments, etc.
Panama and Colon and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1935, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Use of Government-owned automobiles for private purposes pro-hibited.

Sec. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle assigned for the exclusive use of persons other than the Secretary of War and medical officers on out-patient medical service.

Limitation on use of funds for post exchanges.

Sec. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts in supplying them with articles of ordinary use, wear, and consumption not furnished by the Government.

Approved, April 26, 1934.

[CHAPTER 167.]

AN ACT

April 27, 1934. [S. 2084.] [Public, No. 177.]

Granting and confirming to the East Bay Municipal Utility District, a municipal utility district of the State of California and a body corporate and politic, of said State, and a political subdivision thereof, certain lands, and for other purposes.

East Bay Municipal District, Calif. Certain lands grantad to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the East Bay Municipal Utility District, a municipal utility district of the State of California and a body corporate and politic of said State and a political subdivision thereof, the following described lands of the United States situate in the counties of Amador and Calaveras, State of California, to wit:

Description.

The southeast quarter southeast quarter section 22; the northeast quarter southwest quarter, and the south half southeast quarter section 23; the northwest quarter northeast quarter, and the north half southeast quarter section 24; the southwest quarter, the south half northwest quarter, and the northwest quarter northwest quarter section 26, all in township 5 north, range 10 east, Mount Diablo base and meridian.

All the unpatented land in the east half northwest quarter section 15, containing approximately forty-seven and thirty-six one hundredths acres; the south half northeast quarter, and the north half southeast quarter section 17; and all the unpatented land in section 18 (the same being a fractional portion of the southeast quarter northeast quarter, and a fractional portion of the northeast quarter southeast quarter, and containing approximately fifteen and fiftyeight one hundredths acres), all in township 5 north, range 11 east, Mount Diablo base and meridian; and the Secretary of the Interior is hereby authorized to issue patent to the said district for the same.

All of the above-described land is now held by said district by virtue of that certain license numbered 567, heretofore issued to said district by the Federal Power Commission. Upon this grant becoming effective said license is terminated and the parties thereto relieved of all obligation by reason thereof, and the fee title of the district to its dams, spillways, conduits. tunnels, power house, power lines, and other structures now constructed in whole or in part on said lands and the right to maintain and operate the same is fully

SEC. 2. That the grant of the said lands hereinbefore described water supply. is made in aid of the water supply of said district for itself and its inhabitants, and the said district shall pay for the said lands the

sum of \$5 per acre.

SEC. 3. That the rights hereby granted shall revert to the United Reversionary provi-States if abandoned or transferred to any person, association, or corporation other than to the State or to another municipal corporation.

Approved, April 27, 1934.

[CHAPTER 168.]

AN ACT

To guarantee the bonds of the Home Owners' Loan Corporation, to amend the April 27, 1934. [S. 2999.]

Home Owners' Loan Act of 1933, and for other purposes. Public, No. 178.]

Be it enacted by the Senate and House of Representatives of the 4(c) of the Home Owners' Loan Act of 1933 is amended to read as ments. follows:

"(c) The Corporation is authorized to issue bonds in an aggregate amount not to exceed \$2,000,000,000, which may be sold by the Corporation to obtain funds for carrying out the purposes of this section, or exchanged as hereinafter provided. Such bonds shall be in such forms and denominations, shall mature within such periods of not more than eighteen years from the date of their issue, shall bear such rates of interest not exceeding 4 per centum per annum, shall be subject to such terms and conditions, and shall be issued in such manner and sold at such prices, as may be prescribed by the Corporation, with the approval of the Secretary of the Treasury. Such bonds shall be fully and unconditionally guaranteed both as to interest and principal by the United States, and such guaranty shall be expressed on the face thereof, and such bonds shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States or any officer or officers thereof. In the event that the Corporation shall be unable to pay upon demand, when due, the principal of, or interest on, such bonds, the Secretary of the Treasury shall pay to the holder the amount thereof which is hereby authorized to be appropriated out of any thorized.

Appropriation authorized to the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such bonds. The Secretary of the Treas-Secretary of the Treasury, in his discretion, is authorized to purchase any bonds of the Corporation issued under this subsection which are guaranteed as to interest and principal, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of the Corporation's bonds hereunder. The Secretary of the Treasury may, at any time, sell any of the bonds of the Corporation acquired by him

License terminated.

Fee title to struc-tures, etc., confirmed.

Bonds; issue of, authorized Aggregate amount.

Character of.

Payment provisions.

Fund available, Vol. 40, p. 288.

Bale.

Tax exemptions.

Exception.

Real property.

actions

Interest rate.

Increase of issue to amount refunded.

Bonds heretofore issued by Corporation not affected.

Ante, p. 132.

Bond exchange for mortgages or cash loans; when may have.

Proviso. Waiver of tions

Treatment of, as public debt transactions. Under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of the bonds of the Corporation shall be treated as public-debt transactions of the United States. The bonds issued by the Corporation under this subsection shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States or any District, Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, including its franchise, its capital, reserves and surplus, and its loans and income, shall likewise be exempt from such taxation; except that any real property of the Corporation shall be subject to taxation to the same extent, accord-Bond issue not to ing to its value, as other real property is taxed. No such bonds shall be issued in excess of the assets of the Corporation, including the assets to be obtained from the proceeds of such bonds, but a failure to comply with this provision shall not invalidate the bonds open market trans or the guaranty of the same. The Corporation shall have power to purchase in the open market at any time and at any price not to exceed par any of the bonds issued by it. Any such bonds so purchased may, with the approval of the Secretary of the Treasury, be Resale, retund, and sold or resold at any time and at any price. For a period of six months after the date this subsection, as amended, takes effect, the Corporation is authorized to refund any of its bonds issued prior to such date or any bonds issued after such date in compliance with commitments of the Corporation outstanding on such date, upon application of the holders thereof, by exchanging therefor bonds of an equal face amount issued by the Corporation under this subsection as amended, and bearing interest at such rate as may be prescribed by the Corporation with the approval of the Secretary of the Treasury; but such rate shall not be less than that first fixed after this subsection, as amended, takes effect on bonds exchanged by the Corporation for home mortgages. For the purpose of such refunding the Corporation is further authorized to increase its total bond issue in an amount equal to the amount of the bonds so Existing commit refunded. Nothing in this subsection, as amended, shall be construed to prevent the Corporation from issuing bonds in compliance with commitments of the Corporation on the date this subsection, as amended, takes effect.

(b) The amendments made by subsection (a) of this section (except with respect to refunding) shall not apply to any bonds heretofore issued by the Home Owners' Loan Corporation under such section 4 (c), or to any bonds hereafter issued in compliance with commitments of the Corporation outstanding on the date of enactment of this Act.

SEC. 2. Section 4 of the Home Owners' Loan Act is further

amended by adding at the end thereof the following new subsections:

"(1) No home mortgage or other obligation or lien shall be acquired by the Corporation under subsection (d), and no cash advance shall be made under subsection (f), unless the applicant was in involuntary default on June 13, 1933, with respect to the indebtedness on his real estate and is unable to carry or refund his present mortgage indebtedness: *Provided*, That the foregoing limitation shall not apply in any case in which it is specifically shown to the satisfaction of the Corporation that a default after such date was due to unemployment or to economic conditions or misfortune beyond the control of the applicant, or in any case in which the home mortgage or other obligation or lien is held by an institution which is in liquidation.

"(m) In all cases where the Corporation is authorized to advance Cash advances for home maintenance." cash to provide for necessary maintenance and to make necessary repairs it is also authorized to advance cash or exchange bonds for the rehabilitation, modernization, rebuilding and enlargement of the homes financed; and in all cases where the Corporation has acquired a home mortgage or other obligation or lien it is authorized to advance cash or exchange bonds to provide for the maintenance, repair, rehabilitation, modernization, rebuilding, and enlargement of the homes financed and to take an additional lien, mortgage, or conveyance to secure such additional advance or to take a new home mortgage for the whole indebtedness; but the total amount advanced shall in no case exceed the respective amounts or percentages of value of the real estate as elsewhere provided in this section. Not to exceed \$200,000,000 of the proceeds derived from Maximum allowance of real the sale of bonds of the Corporation shall be used in making cash property. advances to provide for necessary maintenance and necessary repairs and for the rehabilitation, modernization, rebuilding and enlargement of real estate securing the home mortgages and other obligations and liens acquired by the Corporation under this section.

Sec. 3. The sixth sentence of section 4 (d) of the Home Owners' extension to home owner authorized. Loan Act of 1933 is amended to read as follows: "The Corporation may at any time grant an extension of time to any home owner for the payment of any installment of principal or interest owed by him to the Corporation if, in the judgment of the Corporation, the circumstances of the home owner and the condition of the security

justify such extension."

Sec. 4. Subsection (g) of section 4 of the Home Owners' Loan

Act of 1933 is hereby amended to read as follows:

"(g) The Corporation is further authorized to exchange bonds lost since January 1, and to advance cash to redeem or recover homes lost by the owners 1930.

and to advance cash to redeem or recover homes lost by the owners by foreclosure or forced sale by a trustee under a deed of trust or under power of attorney, or by voluntary surrender to the mortgage subsequent to January 1, 1930, subject to the limitations provided in subsection (d) of this section."

Sec. 5. Section 5 of the Home Owners' Loan Act of 1933 is loan associations. amended by adding at the end thereof the following new subsections:

"(j) In addition to the authority to subscribe for preferred shares in federal savings and loan associations, the Secretary of the Treasury is authorized on behalf of the United States to subscribe for any amount of full paid income shares in such associations, and it shall be the duty of the Secretary of the Treasury to subscribe for such full paid income shares upon the request of the Federal Home such full paid income shares upon the request of the Federal Home Loan Bank Board. Payment on such shares may be called from time to time by the association, subject to the approval of said Board and the Secretary of the Treasury, and such payments shall be made from the funds appropriated pursuant to subsection (g) of this section; but the amount paid in by the Secretary of the Treasury for shares under this subsection and such subsection (g), together shall at no time exceed 75 per centum of the total investment in the shares of such association by the Secretary of the Treasury and other shareholders. Each such association shall issue receipts for such payments by the Secretary of the Treasury in such form as may be approved by said Board and such receipts shall be evidence of the interest of the United States in such full paid income shares Retirement, after 5 years, permitted. to the extent of the amount so paid. No request for the repurchase of the full paid income shares purchased by the Secretary of the Treasury shall be made for a period of five years from the date of such purchase, and thereafter requests by the Secretary of the

Rehabilitation, etc.

Limitation.

Ante, p. 131.

Payments.

Maximum invest-

Receipts.

Limitation.

Treasury for the repurchase of such shares by such associations shall be made at the discretion of the Board; but no such association shall be requested to repurchase any such shares in any one year in an amount in excess of 10 per centum of the total amount invested in such shares by the Secretary of the Treasury. Such repurchases shall be made in accordance with the rules and regulations prescribed by the Board for such associations.

Employment as fiscal

"(k) When designated for that purpose by the Secretary of the Treasury, any Federal savings and loan association or member of any Federal Home Loan Bank may be employed as fiscal agent of the Government under such regulations as may be prescribed by said Secretary and shall perform all such reasonable duties as fiscal agent Agents for any other ederal instrumentalof the Government as may be required of it. Any Federal savings and loan association or member of any Federal Home Loan Bank may act as agent for any other instrumentality of the United States when designated for that purpose by such instrumentality of the United States."

Federal Home Loan

Ante, p. 134.
Conversion into Fed. amended to read as follows:
eral savings and loan
association authorized.
itself into a Federal saving

Sec. 6. Section 5(i) of the Home Owners' Loan Act of 1933 is

"(i) Any member of a Federal Home Loan Bank may convert itself into a Federal savings and loan association under this Act upon a vote of 51 per centum or more of the votes cast at a legal meeting called to consider such action; but such conversion shall be subject to such rules and regulations as the Board may prescribe, and thereafter the converted association shall be entitled to all the benefits of this section and shall be subject to examination and regulation to the same extent as other associations incorporated pursuant to

Ante, p. 348.

rederal Reserve Act, amendment.

SEC. 7. (a) The first sentence of the eighth paragraph of section Advances by reserve 13 of the Federal Reserve Act, as amended, is further amended by banks on Home Owninserting before the semicolon, after the words "Fodowal Education Montages Community of the Semicolon of the eighth paragraph of section Advances by reserve Act, as amended, is further amended by banks on Home Owninserting before the semicolon, after the words "Fodowal Education Montages Community of the Indiana Provided Paragraph of Section Advances by reserve Act, as amended, is further amended by banks on Home Owninserting before the semicolon, after the words "Fodowal Education Montages Community of the Indiana Provided Paragraph of Section Advances by reserve Act, as amended, is further amended by banks on Home Owninserting before the semicolon, after the words "Fodowal Education Paragraph of Section Paragraph of Sec Mortgage Corporation Act", a comma and the following: "or by the deposit or pledge of bonds issued under the provisions of subsection (c) of section 4 of the Home Owners' Loan Act of 1933, as amended."

Purchase and sale of corporation bonds Ante, p. 348

(b) Paragraph (b) of section 14 of the Federal Reserve Act, as amended, is further amended by inserting after the words "bonds of the Federal Farm Mortgage Corporation having maturities from date of purchase of not exceeding six months", a comma and the following: "bonds issued under the provisions of subsection (c) of section 4 of the Home Owners' Loan Act of 1933, as amended, and having maturities from date of purchase of not exceeding six months."

Reserve bank fiscal agent for co ration. corpo-

Bonds of Federal Home Loan Banks, purchase by corpora-tion.

Sec. 8. The Federal Reserve banks are authorized, with the approval of the Secretary of the Treasury, to act as depositaries, custodians, and fiscal agents for the Home Owners' Loan Corporation. Sec. 9. The Home Owners' Loan Corporation is authorized to buy bonds or debentures of Federal Home Loan Banks upon such

Home mortgages, acceptance as collateral security.
Vol. 47, p. 732.

terms as may be agreed upon or to loan money to Federal Home Loan Banks upon such terms as may be agreed upon but not to exceed \$50,000,000 shall be invested or advanced under this section.

Sec. 10. The first sentence of section 10(b) of the Federal Home

Loan Bank Act, as amended, is amended by inserting before the period at the end thereof a comma and the following: "unless the amount of the debt secured by such home mortgage is less than 50 per centum of the value of the real estate with respect to which the home mortgage was given, as such real estate was appraised when the home mortgage was made". SEC. 11. Section 6 of the Home Owners' Loan Act of 1933 is Encouragement of amended by adding at the end thereof the following new sentences: saving. "For the purposes of this section the Secretary of the Treasury is allocated." authorized and directed to allocate and make immediately available to the Board, out of the funds appropriated pursuant to section 5 (g), the sum of \$500,000. Such sum shall be in addition to the funds appropriated pursuant to this section, and shall be subject to the call of the Board and shall remain available until expended."

Sec. 12. Subsection (e) of section 8 of the Home Owners' Loan

Act of 1933, is hereby amended to read as follows:

"(e) No person, partnership, association, or corporation shall, directly or indirectly, solicit, contract for, charge or receive, or attempt to solicit, contract for, charge or receive any fee, charge, or other consideration from any person applying to the Corporation for a loan, whether bond or cash except ordinary fees authorized and required by the Corporation for services actually rendered for examination and perfection of title, appraisal, and like necessary services. Any person, partnership, association, or corporation violating the provisions of this subsection shall, upon conviction thereof, be fined not more than \$10,000, or imprisoned not more than five vears or both."

Sec. 13. Subsection (k) of section 4 of the Home Owners' Loan Act of 1933 is hereby amended by inserting a new sentence after the second sentence of such subsection as follows: "All payments upon principal of loans made by the Corporation shall under regulations Administrative rules, Ante, p. 132.

Administrative rules, Ante, p. 132.
Application of payments upon principal of loans made by the Corporation shall under regulations principal of loans made by the Corporation shall under regulations made by the Corporation be applied to the retirement of the bonds

of the Corporation."

SEC. 14. The eighth sentence of section 4 (a) of the Act entitled Federal Farm Mort-"An Act to provide for the establishment of a Corporation to aid in the refinancing of farm debts, and for other purposes", approved January 31, 1934, is amended to read as follows: "No such bonds shall be issued in excess of the assets of the Corporation, including the assets to be obtained from the proceeds of such bonds, but a failure to comply with this provision shall not invalidate the bonds or the guaranty of the same.

SEC. 15. If any provision of this Act, or the application thereof Separability of provisions. to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or

circumstances, shall not be affected thereby.

Approved, April 27, 1934.

[CHAPTER 169.]

AN ACT

To amend section 1 of the Act entitled "An Act to provide for determining the heirs of the deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", approved June 25, 1910, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes" (36 Stat. 855), be, and the same is hereby, amended to read as follows:

"That when any Indian to whom an allotment of land has been of intestate Indians. made, or may hereafter be made, dies before the expiration of the trust period and before the issuance of a fee simple patent, without having made a will disposing of said allotment as hereinafter pro-

Ante, p. 133.

Ante, p. 135.
Soliciting unauthorized charges

Punishment for.

Bonds of, not to issue in excess of assets

April 30, 1934. [H.R. 5075.] [Public, No 179.]

Indian trust allotments. Vol. 36, p. 855; Vol. 45, p. 161.

gal heirs.

Determination competency.

Provisos.
Partition.

Rules for sales.

Deposit required. Forfeiture of pay-ments, if terms not met. Forfeiture of

Benefit of allottee. Issue of patents.

Distribution of proceeds

Competency certifi-

funds in banks. Indemnity

vided, the Secretary of the Interior, upon notice and hearing, under Ascertainment of le- such rules as he may prescribe, shall ascertain the legal heirs of such of decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent; if he shall decide one or more of the heirs to be incompetent, he may, in his discretion, cause such lands to be sold: *Provided*, That if the his discretion, cause such lands to be sold: Provided, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allofted to Indians authorized by this or any other Act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of 10 per centum of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid on such deferred payments, all payments made, together with all interest paid on such deferred installments, shall be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the allottee or his heirs. Upon payment of the purchase price in full the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land: Provided, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent as their respective interests shall appear: Provided further, That the Secretary of the Interior is hereby authorized, in his discretion, to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent:

Deposit of Indian Provided further, That hereafter any United States Indian agent, bond superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select: Provided, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior.

Approved, April 30, 1934.

[CHAPTER 170.]

AN ACT

April 30, 1934. [H.R. 7748.] [Public, No. 180.]

Regulating procedure in criminal cases in the courts of the United States.

Be it enacted by the Senate and House of Representatives of the Criminal procedure. United States of America in Congress assembled, That no plea to United States courts. Pleas attacking indictments. Time for filing, when larity in the drawing or impaneling of the grand jury or upon the ground of disqualification of a grand juror shall be sustained or granted unless such plea or motion shall have been filed before, or within ten days after, the defendant filing such plea or motion is presented for arraignment; and from the time such plea or motion is filed and until the termination of the first term of said court beginning subsequent to the final judgment on such plea or motion and

during which a grand jury thereof shall be in session, no statute of Running of statute of Illimitations barred. limitations shall operate to bar another indictment of any defendant filing such plea or motion, or of any other defendant or defendants included in the indictment to which such plea or motion is directed,

for the offense or offenses therein charged.

SEC. 2. No plea to abate nor motion to quash any indictment, upon prior as grounds for inthe ground that one or more unqualified persons served upon the validating indictment. grand jury finding such indictment, shall be sustained if it appears that twelve or more jurors, after deducting the number so disqualified, concurred in the finding of said indictment: Provided, however,

That no juror shall be permitted to testify, in this connection, as to ter of juror's vote. whether he or any other individual juror voted for or against the finding of such indictment, but it shall be the duty of the foreman of each grand jury to keep a record of the number of grand jurors concurring in the finding of any indictment and to file such record with the clerk of the court at the time the indictment is returned.

Proviso. Confidential charac-

Record of foreman.

SEC. 3. That this Act shall be applicable to the district courts of the United States, including the district courts of Alaska, Hawaii, Puerto Rico, and the Virgin Islands, and to the Supreme Court of the District of Columbia.

record shall not be made public except on order of the court.

Applicability of Act.

Approved, April 30, 1934.

[CHAPTER 171.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oregon.

April 30, 1934. [H.R. 7060.] [Public, No. 181.]

Be it enacted by the Senate and House of Representatives of the commencing and completing the construction of a bridge across the Columbia River near The Dalles, Oregon, authorized to be built by The Dalles Bridge Company, a Washington corporation, by the Act of Congress approved March 4, 1933, are hereby extended one and three years, respectively, from March 4, 1934.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Columbia River. Time extended for bridging, near The Dalles, Oreg. Vol. 47, p. 1552.

Vol. 47, p. 1552.

Approved, April 30, 1934.

[CHAPTER 172.]

AN ACT

For the inclusion of certain lands in the national forests in the State of Idaho, and for other purposes.

April 30, 1934. [H.R. 7425.] [Public, No. 182.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act entitled "An Act to consolidate national forest lands", Idaho approved March 20, 1922 (U.S.C., title 16, sec. 485), are extended and vol. made applicable to the following-described lands in the State of P. 420. Idaho:

S National forests. Certain lands Idaho to be added to. Vol. 42, p. 465; U.S.C.,

Sections 5, 6, 7, and 8, township 40 north, range 1 west.

Description.

Sections 1, 2, 3, 11, and 12; section 10, except the southwest quarter northwest quarter and the west half southwest quarter, township 40

north, range 2 west.

Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 16, 17, and 18; section 15, except the south half southwest quarter; north half northeast quarter, southwest quarter northeast quarter, northwest quarter, and the north half southwest quarter section 19; northeast quarter, east half northwest quarter, and the southwest quarter section 20, township 40

north, range 3 west.

Sections 1 to 23, inclusive; northeast quarter, east half northwest quarter, northwest quarter northwest quarter, and the north half southeast quarter section 24; northeast quarter, east half northwest quarter, and the northwest quarter northwest quarter section 26; northeast quarter northeast quarter, west half northeast quarter, and the northwest quarter section 27; north half section 28; and the east half northeast quarter section 29, township 40 north, range 4 west.

Sections 9, 11, 12, 13, 14, and the south half section 1; south half section 2; southeast quarter section 3; section 10, except the north half northwest quarter; north half, and the east half southeast quarter, section 15; northeast quarter, and the north half southeast quarter section 16; north half, southeast quarter southwest quarter, and the southeast quarter, section 24, township 40 north, range 5

Sections 29, 30, 31, and 32, township 41 north, range 1 west. Sections 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 34, 35, 36, and the north half section 33, township 41 north, range 2 west. Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33.

34, and section 26 except the southwest quarter southwest quarter. township 41 north, range 3 west.

The southeast quarter section 32; southwest quarter, west half southeast quarter, and the southeast quarter southeast quarter, section 33; east half southeast quarter section 34; south half section 35, and section 36, except the northeast quarter, township 41 north, range

All foregoing descriptions relate to Boise base and meridian.

School, etc., lands Sec. 2. Lands within the national forests heretofore granted to changed for nonmineral the State of Idaho for educational or other purposes may, under such rules and regulations as the legislature of such State shall prescribe, be offered in exchange for any of the lands described in section 1 hereof which are of nonmineral character and approximately equal value and area, in the ownership of the United States or in other ownership, to the end that the State may acquire holdings in a reasonably compact form for economic administration as a forest property, or for use as an experimental, training, and demonstrational area by the School of Forestry of the University of Idaho, or for any other purposes that the legislature of the State may authorize or prescribe, anything in the enabling act of such State to the contrary notwithstanding.

Sec. 3. The lands conveyed to the United States under sections 1

Additions to forests.

and 2 of this Act (together with the land described in section 1 now owned by the United States, subject to all valid existing rights) shall, upon acceptance of title, become parts of the national forest within whose exterior boundaries they are located.

Approved, April 30, 1934.

[CHAPTER 173.]

AN ACT

April 30, 1934. [H.R. 7801.] [Public, No. 183.]

To extend the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oregon.

Columbia River.
Time extended for bridging, at The Dalles, Oreg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Columbia River at or near The Dalles, Oregon, authorized to be built by Dalles City, by an Act of Congress approved February 20, 1931, Vol. 46, pp. 1193; heretofore extended by Act of Congress approved February 11, 1932, amended. and further extended by Act of Congress approved February 14, 1933, are hereby further extended one and three years, respectively, from February 20, 1934.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 30, 1934.

[CHAPTER 174.]

AN ACT

Granting the consent of Congress to the Iowa State Highway Commission and the Missouri Highway Department to maintain a free bridge already constructed across the Des Moines River near the city of Keokuk, Iowa.

April 30, 1934. [H.R. 8040.] [Public, No. 184.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent United States of America in Congress assembled, That the consent of Congress is hereby granted to the Iowa State Highway Commission of the Missouri State Highway Department and its suggestion of bridge across, at Keokuk, old was the Missouri State Highway Department and its suggestion of bridge across, at Keokuk, old was the Missouri State Highway Department and its suggestion. sion and the Missouri State Highway Department, and its successors and assigns, to maintain and operate, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, a bridge and approaches thereto already constructed across the Des Moines River near the city of Keokuk, Iowa, which bridge is hereby declared to be a lawful structure to the same extent and in the same manner as if it had been constructed in accordance with the provisions of said Act of March 23, 1906.

Vol. 34, p. 84.

Structure legalized.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 30, 1934.

[CHAPTER 175.]

AN ACT

To legalize a bridge across Black River at or near Pocahontas, Arkansas.

April 30, 1934. [H.R. 8237.] [Public, No. 185.]

Be it enacted by the Senate and House of Representatives of the Black River. Bridge acro Pocahontas, legalized. United States of America in Congress assembled, That the bridge ver. across, at as, Ark., now being constructed across Black River at or near Pocahontas, Arkansas, by the Arkansas State Highway Commission, if completed in accordance with the plans accepted by the Chief of Engineers and the Secretary of War as providing suitable facilities for navigation Construction. Vol. 34, p. 84. and operated as a free bridge, shall be a lawful structure, and shall be subject to the conditions and limitations of the Act entitled "An Act to regulate the construction of bridges over navigable waters"

the bridge is commenced. Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

approved March 23, 1906, other than those requiring the approval of plans by the Secretary of War and the Chief of Engineers before

Approved, April 30, 1934.

Amendment.

[CHAPTER 176.]

AN ACT

To legalize a bridge across Saint Francis River at or near Lake City, Arkansas.

April 30, 1934 [H.R. 8438.] [Public, No. 186.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge Saint Francis River. Bridge across, at now being constructed across Saint Francis River at or near Lake Lake City, Ark., legal-City, Arkansas, by the Arkansas State Highway Commission, if completed in accordance with the plans accepted by the Chief of

652

73d CONGRESS. SESS. II. CHS. 176-178. APRIL 30, 1934.

Construction. Vol. 34, p. 84.

Engineers and the Secretary of War as providing suitable facilities for navigation and operated as a free bridge, shall be a lawful structure, and shall be subject to the conditions and limitations of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 30, 1934.

[CHAPTER 177.]

AN ACT

April 30, 1934. [H.R. 8429.] [Public, No. 187.]

To revive and reenact the Act entitled "An Act authorizing D. S. Prentiss, R. A. Salladay, Syl F. Histed, William M. Turner, and John H. Rahilly, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the town of New Boston, Illinois", approved March 3, 1931.

Mississippi River. Authority to bridge, at New Boston, Ill., revived.

Vol. p. 1503, 46, amended

Proviso.
Time limitation.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved March 3, 1931, granting the consent of Congress to D. S. Prentiss, R. A. Salladay, Syl F. Histed, William M. Turner, and John H. Rahilly, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, at or near the town of New Boston, Illinois, be, and the same is hereby, revived and reenacted: Provided, That this Act shall be null and void unless the actual construction of the bridge and approaches thereto herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 30, 1934.

[CHAPTER 178.]

AN ACT

April 30, 1934. [H.R. 8477.] [Public, No. 188.]

Authorizing the State Road Commission of West Virginia to construct, maintain, and operate a toll bridge across the Potomac River at or near Shepherdstown, Jefferson County, West Virginia.

Potomac River. West Virginia may bridge, at Shepherds-

Construction Vol. 34, p. 84.

Right to acquire real estate, etc., for location, approaches, etc.

Condemnation pro-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the State Road Commission of West Virginia be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, at or near Shepherdstown, Jefferson County, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construc-tion of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the State Road Commission of West Virginia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State.

and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such

SEC. 3. The said State Road Commission of West Virginia is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act

of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of to operation, sinking, such bridge the same shall be so adjusted as to provide a fund etc., fund. sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its Record of expenditures and receipts t approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 30, 1934.

[CHAPTER 179.]

AN ACT

Authorizing the owners of Cut-Off Island, Posey County, Indiana, to construct, maintain, and operate a free highway bridge or causeway across the old channel of the Wabash River.

April 30, 1934. [H.R. 8834.] [Public, No. 189.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and proside authorized scross, Cut-Off Island, ind., to White County, Ind., t Posey County, Indiana, are hereby authorized to construct, maintain, and operate a free highway bridge or causeway (including approaches thereto) across the old channel of the Wabash River, in order to connect such island with the highway system in White County, Illinois, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the owners of Cut-Off estate, etc., for location, Island, Indiana, all the rights and powers to enter upon lands and approaches, etc. to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge or causeway, and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemna- ceedings. tion or expropriation of property for public purposes in such State.

Tolls authorized.

Vol. 34, p. 85.

Wabash River.

Construction Vol. 34, p. 84.

Condemnation pro-

73d CONGRESS. SESS. II. CHS. 179-181. APRIL 30, 1934.

Term "owners" defined.

SEC. 3. The term "owners", as used in this Act, means the owners of Cut-Off Island, Indiana, at the date of the enactment of this Act, and any future owners of such island.

Amendment.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 30, 1934.

[CHAPTER 180.]

AN ACT

April 30, 1934. [H.R. 8853.] [Public, No. 190.]

To extend the time for the construction of a bridge across the Wabash River at a point in Sullivan County, Indiana, to a point opposite on the Illinois shore.

Be it enacted by the Senate and House of Representatives of the Wabash River.
Time extended for bridging, Sullivan for commencing and completing the construction of a bridge County, Ind.
Vol. 47, p. 44, amended.

Vol. 47, p. 44, amended ed.

Wabash River.
United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved February 10, 1932, to be built by Sullivan County, Indiana, or any board or commission of said county which is or may be created or established for the purpose, across the Wabash River, extending from some point in the county across said river to a point opposite on the Illinois shore, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 30, 1934.

[CHAPTER 181.]

AN ACT

April 30, 1934. [H.R. 8854.] [Public, No. 191.]

To amend the District of Columbia Alcoholic Beverage Control Act by amending sections 11, 22, 23, and 24.

Be it enacted by the Senate and House of Representatives of the District of Columbia Alcoholic Beverage United States of America in Congress assembled, That section 11, Control Act, amended. Subsection (c), of the District of Columbia Alcoholic Beverage Con-Wholesalers', Class A. Saies to other than thereof the following: "It shall not authorize the sale of beverages to any other person except as may be provided by regulations proto any other person except as may be provided by regulations pro-

Ante, p. 332. Reports by licensees.

mulgated by the Commissioners under this Act."

SEC. 2. That section 22 of the said Alcoholic Beverage Control Act be amended by adding at the end thereof a new paragraph to read as follows:

"(c) The Commissioners may at any time suspend or revoke in whole or in part the requirements of this section.

Ante. p. 332.

Sec. 3. That section 23 of the said Alcoholic Beverage Control Act

is amended so as to read as follows:
"Sec. 23. (a) There shall be levied, collected, and paid on all of

Tax levy. Post, p. 1014.

the following-named beverages manufactured by a holder of a manufacturer's license, and on all of the said beverages imported or brought into the District of Columbia by a holder of a wholesaler's or retailer's license, a tax at the following rates, to be paid by the

Wina.

licensee in the manner hereinafter provided: "(1) A tax of 35 cents on every wine-gallon of wine containing more than 14 per centum of alcohol by volume, except champagne,

Champagne.

or any wine artificially carbonated and a proportionate tax at a like rate on all fractional parts of such gallon; (2) a tax of 50 cents on every wine-gallon of champagne or any wine artificially carbonated, and a proportionate tax at a like rate on all fractional parts of such gallon; (3) a tax of 50 cents on every wine-gallon of spirits, and a proportionate tax at a like rate on all fractional parts of such gal-

Spirits.

lon; (4) and a tax of \$1.10 on every wine-gallon of alcohol, and a proportionate tax at a like rate on all fractional parts of such gallon. "(b) Said taxes shall be collected by and paid to the Collector of tor; division of credit.

Taxes of the District of Columbia and shall be deposited in the Treasury of the United States to the credit of the District of

Columbia.

"(c) Said taxes shall be collected and paid by the affixture of a affixture of stamps on stamp or stamps secured from the Collector of Taxes of the District container. of Columbia denoting the payment of the amount of the tax imposed by this Act upon such beverage, such affixture to be upon the immediate container of the beverage, unless the Commissioners shall by regulation permit otherwise.

"(d) The Collector of Taxes of the District of Columbia shall stamps to be fur-nished by Collector." furnish suitable stamps, to be prescribed by the Commissioners, denoting the payment of the taxes imposed by this Act, and shall by the sale of such stamps at the amounts indicated on the faces

thereof cause the said taxes to be collected.

"(e) Upon beverages manufactured in the District of Columbia by a manufacturer licensed under this Act, the stamps required by this Act shall be affixed before the removal of the beverage from the place of business or warehouse of the said manufacturer for delivery to a purchaser. Upon beverages except taxable light wines, imported or brought into the District of Columbia by any wholesaler licensed under this Act, the stamps required by this Act shall be affixed before the removal of the beverage from the place of business or warehouse of the said wholesaler for delivery to a purchaser; upon taxable light wines imported or brought into the District of Columbia by any wholesaler licensed under this Act, the said stamps trict. shall be affixed within twenty-four hours (excluding Sunday from the count) after the wines are received at the licensed premises of the wholesaler and before said wines are sold by such wholesaler. Upon beverages purchased outside the District of Columbia by any local license retailer licensed under this Act, the stamps required by this Act shall be affixed within twenty-four hours (excluding Sunday from the count) after the beverage is received at the licensed premises of said retailer and before said beverage is sold by such retailer.

"(f) No person shall use or cause to be used for the payment of Rouse of stamps proany tax imposed by this Act a stamp or stamps already theretofore

used for the payment of any such tax.

"(g) No tax shall be levied and collected on any alcohol exempt nonbeverage purposes. from tax under the laws of the United States, or on any alcohol sold for nonbeverage purposes by the holder of a manufacturer's or wholesaler's license, in accordance with the regulations promulgated by the Commissioners.

"(h) If any Act of Congress shall hereafter prescribe for a Fed- Local tax withdrawn eral volume tax on alcoholic beverages under which a portion of tained. said tax shall be returned to the District of Columbia, the taxes levied under this section shall not be collected after the effective

date of said Act.

"(i) The possession by any licensee of any beverage after its stong removal from the licensed premises of a manufacturer or wholesaler within the District of Columbia or after twenty-four hours (Sunday being excluded from the count) after its receipt from outside the District of Columbia, upon which the tax required has not been paid, shall render such beverage liable to seizure wherever found, and to forfeiture by the District of Columbia. And the absence of the proper stamps from any container (or wrapper if such be permitted) after the time at which the affixture of the stamp monpayment. is required by this Act shall be notice to all persons that the tax

Alcohol.

Beverages of local manufacture.

Without the District.

Stamp requirements.

Taxable light wines brought into the Dis-

Outside purchases by

Enforcement provi-

Absence of stamps prima facie evidence of

Proceedings.

Disposition if condemned.

has not been paid thereon and shall be prima facie evidence of the nonpayment thereof. Such beverage so liable to forfeiture shall be proceeded against in the Supreme Court of the District of Columbia by the corporation counsel of the District of Columbia, and, if condemned, the said beverage shall be disposed of by destruction or delivered for medicinal, mechanical, or scientific uses to any department or agency of the United States Government or the District of Columbia government or any hospital or other charitable institution in the District of Columbia, or sold at public auction, as the court may direct. The proceedings of such libel cases shall conform, as near as may be, to the proceedings in admiralty, and all such proceedings shall be at the suit of and in the name of the District of Columbia.

Punishment for counterfeiting, etc.

"(j) Any person who shall counterfeit or forge any stamp required by this Act shall, upon conviction, be subject to a fine not exceeding \$5,000 or to imprisonment for a period of not more than two years, or to both such fine and imprisonment."

SEC. 4. That section 24 of said Alcoholic Beverage Control Act

is amended so as to read as follows:

"Sec. 24. (a) Every licensed manufacturer, wholesaler, and retailer under this Act shall furnish the Collector of Taxes of the District of Columbia on the day this Act becomes effective a statement under oath, on a form to be prescribed by the Commissioners, showing the amount and kind of taxable beverages held and possessed Necessary stamps to by him on the day this Act becomes effective, and shall state the attached to such by him on the day this Act becomes effective, and shall state the number and denomination of stamps necessary for the stamping of such beverages so held and possessed on said date, as required by

Statement of present

stock to be made

Stamps to be furnished free and affixed to present tax-paid stock.

Proviso.
Sworn statements to be filed by licensees.

Ante, p. 332.

Payment to be made.

Effective date.

this Act. "(b) All beverages held or possessed by any licensed manufacturer, wholesaler and retailer under this Act on the effective date of this Act shall have the stamps affixed thereto as required by this Act, but such stamps shall be furnished free and without cost to such licensee by the Collector of Taxes of the District of Columbia upon receipt by him of the statement under oath required by paragraph (a) of this section: Provided, however, That such licensee shall on or before the 10th day of the calendar month first occurring after the effective date of this Act, file with the Board the statement under oath required under section 22, paragraphs (a) and (b) of the Alcoholic Beverage Control Act for the District of Columbia as originally enacted and approved, and shall on or before the 15th day of the calendar month first occurring after the effective date of this Act pay to the Collector of Taxes of the District of Columbia all taxes imposed by section 23 of said Act, as originally enacted

and approved, on the beverages so reported as herein required."

Sec. 5. This Act shall become effective on the 1st day of the calendar month first occurring after thirty days from the approval thereof.

Approved, April 30, 1934.

[CHAPTER 182.]

AN ACT

April 30, 1934. [H.R. 1724.] [Public, No. 192.]

Providing for settlement of claims of officers and enlisted men for extra pay provided by Act of January 12, 1899.

Volunteer Army. Claims of officers and enlisted men for extra pay, to be settled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Accounting Office is authorized and directed to receive and settle claims of officers and enlisted men who were appointed or enlisted in the Army under the Act of March 2, 1899 (30 Stat.L. 979), for one or two months' extra pay provided by the Act of January 12, 1899, as amended (30 Stat.L. 784), notwithstanding the disallowance of their claims for such extra pay by the former accounting officers of the Treasury.

Vol. 30, pp. 979, 784.

Approved, April 30, 1934.

[CHAPTER 183.]

AN ACT

Authorizing the Secretary of Commerce to acquire a site for a lighthouse depot at New Orleans, Louisiana, and for other purposes.

April 30, 1934. [H.R. 7488.] [Public, No. 193.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to acquire, by purchase from the house at, authorized. Board of Commissioners of the Port of New Orleans, New Orleans, Louisiana, a lease for not exceeding ninety-nine years of a site on which is to be located the New Orleans Lighthouse Depot for a consideration of not exceeding \$20,000 for the ninety-nine years, payment thereof to be made upon approval of the lease by the Secretary of Commerce from funds allotted and made available for this project by proper authority. The site shall contain aproximately 1 two and twenty-eight one-hundredths acres, description of which by metes and bounds shall be incorporated in the lease; and the Secretary of Commerce is authorized to erect upon such site such wharves, docks, and other structures as he may determine to be feasible and suitable for the purposes of the lighthouse depot, and to make payment therefor from funds allotted and made available for this project by proper authority.

Structures.

Approved, April 30, 1934.

[CHAPTER 184.]

JOINT RESOLUTION

Requesting the President to proclaim October 12 as Columbus Day for the April 30, 1934. [H.J.Res. 10.] observance of the anniversary of the discovery of America.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation mation designating October 12 of each year as Columbus Day and Columbu mation designating October 12 of each year as Columbus Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of the public sentiment befitting the anniversary of the discovery of America.

Approved, April 30, 1934.

[CHAPTER 191.]

AN ACT

To add certain lands to the Pike National Forest, Colorado.

[Public, No. 194.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands be, and the same are hereby, added to and made a part of the Pike National Forest, in the State of Colorado, and are vII, p. 321.

¹ So in original.

to be hereafter administered under the laws and regulations relating to the national forests:

Description.

Township 9 south, range 77 west, sixth principal meridian: West half northwest quarter and west half southwest quarter section 30; northwest quarter northwest quarter, south half northwest quarter, south half northeast quarter, and south half section 31; south half northwest quarter, south half northeast quarter, and south half section 32.

Township 10 south, range 77 west, sixth principal meridian: North half section 5; north half and southwest quarter section 6; west half section 7; west half and south half southeast quarter section 18; north half northwest quarter and north half northeast quarter section 19; southwest quarter section 30; and west half section 31.

Township 10 south, range 78 west, sixth principal meridian: South half section 35 and south half section 36.

Township 11 south, range 77 west, sixth principal meridian: West half southwest quarter and southeast quarter southwest quarter section 19; west half northwest quarter and west half southwest quarter section 27.

Township 11 south, range 78 west, sixth principal meridian: Sections 3, 10, 15, 22, and the west half southwest quarter section 14; west half northwest quarter and south half section 23; and the south half section 24.

Township 12 south, range 77 west, sixth principal meridian: West half southwest quarter section 11; west half northwest quarter, west half southwest quarter, southeast quarter southwest quarter section 14; northwest quarter section 23; southwest quarter section 26; north half section 34, and northwest quarter section 35.

Township 13 south, range 77 west, sixth principal meridian: West half southwest quarter section 2; south half section 3; all of section 10; west half northwest quarter and west half southwest quarter

section 11.

Pending application not affected.

The inclusion of any of the aforesaid land in the Pike National Forest shall not affect adversely any valid application or entry pending at the date of approval of this Act.

Approved, May 3, 1934.

[CHAPTER 192.]

AN ACT

[Public, No. 195.]

To add certain lands to the Cochetopa National Forest in the State of Colorado.

Description.

Be it enacted by the Senate and House of Representatives of the Cochetopa National Forest, Colo.

Lands added to.
U.S.C.p., 418; Supp.
VII, p. 321.

Be it enacted by the Senate and House of Representatives of the Congress assembled, That the following-described lands be, and the same are hereby, added to and made a part of the Cochetopa National Forest in the State of Colorado and are hereafter to be administered under the lands of the lands and lands are hereafter to be administered under the lands and lands and lands are hereafter to be administered under the lands and lands are hereafter to be administered under the lands and lands are hereafter to be administered under the lands are hereafter to be administered under the lands and lands are hereafter to be administered under the lands and lands are hereafter to be administered under the lands and lands are hereafter to be administered under the lands and lands are hereafter to be administered under the lands are hereafter the lands ar are hereafter to be administered under the laws and regulations relating to the national forests:

Township 12 south, range 79 west, sixth principal meridian: West half and southeast quarter section 16; all of sections 17 and 21; west half and southeast quarter section 22; and all of section 27.

Township 13 south, range 76 west, sixth principal meridian: Northeast quarter section 31; and west half northwest quarter section 32.

Township 13 south, range 77 west, sixth principal meridian: West half and southeast quarter section 14; northeast quarter section 15; east half section 23; west half northwest quarter and west half southwest quarter section 24.

Township 13 south, range 79 west, sixth principal meridian: West half section 22; west half section 27; all of section 34.

Township 14 south, range 79 west, sixth principal meridian: All of sections 3 and 10; west half, west half northeast quarter, and west half southeast quarter section 11; and all of section 35.

Township 15 south, range 76 west, sixth principal meridian: East

Township 15 south, range 76 west, sixth principal meridian: East half and southwest quarter section 10; west half section 11; west half and southeast quarter section 14; all of sections 15, 21, 22, 23, 26, and 27; east half section 28; east half section 33; all of sections 34 and 35; and west half section 36.

Township 15 south, range 78 west, sixth principal meridian: South half southwest quarter section 7; west half section 18; west half section 19; west half section 30; west half and southeast quarter

section 31; and southwest quarter section 32.

Township 15 south, range 79 west, sixth principal meridian: South half northeast quarter, south half northwest quarter, and south half section 1; all of sections 2; east half section 11; all of sections 12 and 13; northeast quarter section 14; all of section 24; and north half section 25.

Township 44 north, range 4 east, New Mexico principal meridian:

North half sections 3 and 4.

Township 44 north, range 6 east, New Mexico principal meridian: Sections 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, and 24.

Township 45 north, range 4 east, New Mexico principal meridian:

Sections 2, 11, 14, and 23.

Township 45 north, range 5 east, New Mexico principal meridian: East half section 32; sections 33, 34, 35, and 36.

Township 45 north, range 7 east, New Mexico principal meridian:

Section 12.

Township 45 north, range 8 east, New Mexico principal meridian:

Sections 17 and 18.

Township 46 north, range 5 east, New Mexico principal meridian: Section 19; west half, north half northeast quarter section 20; west half northwest quarter section 30.

Township 46 north, range 6 east, New Mexico principal meridian:

Sections 4, 5, 8, 9, 11, 16, and 17.

Township 46 north, range 8 east, New Mexico principal meridian: Section 1; north half section 12; southwest quarter northwest quarter, west half southwest quarter section 13; northwest quarter southwest quarter, south half southwest quarter section 17; south half northeast quarter, southeast quarter section 18; east half section 19; northwest quarter, south half section 20; north half sections 22 and 23; northwest quarter northwest quarter section 24; section 29; east half section 30; northeast quarter section 31; and north half section 32.

Township 47 north, range 8 east, New Mexico principal meridian: Southwest quarter, west half southeast quarter section 2; west half, west half east half section 11; west half, west half section 14; west half section 24; sections 25 and 36.

Township 48 north, range 3 east, New Mexico principal meridian: Southeast quarter section 25; southwest quarter section 26; sections

27 and 28; north half, southeast quarter section 33.

Township 48 north, range 4 east, New Mexico principal meridian: Sections 1, 2, and 3; east half, east half west half, northwest quarter northwest quarter section 10; sections 11, 12, 13, and 14; northeast quarter, north half southeast quarter, southeast quarter section 15; sections 23, 24, 25, and 26; east half, southwest quarter section 27; south half section 28; east half southeast quarter section 29; southwest quarter section 30.

Township 48 north, range 5 east, New Mexico principal meridian: West half section 3; sections 4 and 9; west half section 10; sections 15, 16, 17, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 35, and 36.

Township 48 north, range 7 east, New Mexico principal meridian:

Section 1.

Township 48 north, range 8 east, New Mexico principal meridian: Sections 5, 6, 8, and 17.

Township 49 north, range 4 east, New Mexico principal meridian: Sections 25, 26, 27; east half section 28; sections 34, 35, and 36.

Township 49 north, range 5 east, New Mexico principal meridian: Section 16; east half section 17; northeast quarter section 20; section 21; west half sections 22 and 27; sections 28 and 33; west half section 34.

Township 49 north, range 7 east, New Mexico principal meridian:

Sections 10, 15, 24, 25, and 36.

Township 49 north, range 8 east, New Mexico principal meridian:

Sections 19, 20, 29, 30, 31, and 32.

Township 50 north, range 7 east, New Mexico principal meridian: Sections 1, 12; north half, southwest quarter, west half southeast quarter section 13; sections 14 and 23.

Township 50 north, range 8 east, New Mexico principal meridian:

East half section 1; east half section 12.

Township 50 north, range 9 east, New Mexico principal meridian: All of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and east half section 22; sections 23, 24, 25, and 26; east half section 27; section 36.

Township 50 north, range 10 east, New Mexico principal merid-

ian: Entire township.

Township 51 north, range 8 east, New Mexico principal meridian: Section 19; east half section 25; section 30; east half section 36.

Township 51 north, range 9 east, New Mexico principal meridian:

Entire township.

Township 51 north, range 10 east, New Mexico principal meridian: Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, and 22; west half section 23; sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36.

Existing rights not

Provided, That the inclusion of any of the aforesaid land in the Cochetopa National Forest shall not affect adversely any right existing under the public-land laws at the date of the approval of this Act.

Approved, May 3, 1934.

[CHAPTER 193.]

AN ACT

May 3, 1934. [H.R. 6013.] [Public, No. 196.]

To authorize the sale of land and houses at Anchorage, Alaska.

Anchorage, Alaska. Sale of certain Federal property at, authorized.

Provise. Preferential rights to occupants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to sell after appraisement and due advertisement, at public sale or under sealed bids and under such terms and conditions as he may prescribe, such lots with buildings thereon, the property of the United States, at Anchorage, Alaska, as in his judgment should be sold: Provided, That a preference right, in the discretion of the Secretary of the Interior, first may be accorded to the occupants of the properties to purchase the property so occupied at the appraised price.

Approved, May 3, 1934.

[CHAPTER 194.]

AN ACT

Authorizing the city of East Saint Louis, Illinois, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois.

May 3, 1934 [H.R. 7803.] [Public, No. 197.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide may bridge, to Saint for military and other purposes the city of East Saint Louis Illinois Louis, Mo. for military and other purposes, the city of East Saint Louis, Illinois, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the city of East Saint Right to acquire Louis, Illinois, all such rights and powers to enter upon land and to proaches, etc. acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or

Construction. Vol. 34, p. 84.

expropriation of property for public purposes in such State. Sec. 3. The said city of East Saint Louis, Illinois, is hereby

Condemnation pro-

authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls authorized.

Vol. 34, p. 85.

Sec. 4. In fixing the rates of toll to be charged for the use of such SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to operation, sinking fund, etc. pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so Maintenance as free bridge after amortizing provided, such bridge shall thereafter be maintained and operated costs. free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of tures and receipts. the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons

Amendment.

Sec. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 3, 1934.

[CHAPTER 195.]

AN ACT

May 3, 1934. [H.R. 8516.] [Public, No. 198.]

Granting the consent of Congress to the Mississippi Highway Commission to construct, maintain, and operate a free highway bridge across the Pearl River in the State of Mississippi.

Pearl River. Mississippi may bridge at Carthage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Mississippi Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Pearl River, at a point suitable to the interests of navigation, at or near Carthage, Leake County, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters" approved March 23, 1906.

Construction. Vol. 34, p. 84.

A mendment.

Sec. 2. That the right to alter, amend, or repeal this Act is hereby

expressly reserved. Approved, May 3, 1934.

[CHAPTER 196.]

JOINT RESOLUTION

May 3, 1934. [H.J.Res. 315.] [Pub. Res., No. 22.]

Granting consent of Congress to an agreement or compact entered into by the State of New York with the Dominion of Canada for the establishment of the Buffalo and Fort Erie Public Bridge Authority with power to take over, maintain and operate the present highway bridge over the Niagara River between the city of Buffalo, New York, and the village of Fort Erie, Canada.

Resolved by the Senate and House of Representatives of the United Buffalo-Ft. Erie States of America in Congress assembled, That the consent of the Buffaio-Fi. Blood bridge. Compact for establishing and operating approved. State of New York to enter into the agreement or compact with the No. 355. Congress of the United States De, and State of New York to enter into the agreement or compact with the No. 355. Congress of the United States De, and State of New York to enter into the agreement or compact with the No. 355. Congress of the United States De, and State of New York to enter into the agreement or compact with the New York. 1933, and an act respecting the Buffalo and Fort Erie Public Congress of the United States De, and St York, 1933, and an act respecting the Buffalo and Fort Erie Public Bridge Authority passed at the fifth session, Seventeenth Parliament, Dominion of Canada (24 George V 1934), assented to March 28, 1934, for the establishment of the Buffalo and Fort Eric Public Bridge Authority as a municipal corporate instrumentality of said State and with power to take over, maintain, and operate the present highway bridge over the Niagara River between the city of Buffalo, in the State of New York, and the village of Fort Erie, in the Dominion of Canada.

Approved, May 3, 1934.

[CHAPTER 210.]

AN ACT

[Public, No. 199.]

To authorize the city of Fernandina, Florida, under certain conditions, to dispose of a portion of the Amelia Island Lighthouse Reservation.

tions. Vol. 44, p. 624

Vol. 46, p. 1485.

Be it enacted by the Senate and House of Representatives of the house Reservation.

Fernandina, Fla., payment of \$1,000 by the city of Fernandina, Florida, to the Secundar certain conditions, retary of Commerce such city is authorized to convey, without time. regard to the conditions and limitations of paragraph (6) of section 1 and of section 2 of the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and and 1 to increase the efficiency of the Lighthouse Service, and for other purposes ", approved May 22, 1926, and without regard to the conditions and limitations of the Act entitled "An Act to authorize the city of Fernandina, Florida, under certain conditions, to dispose of a portion of the Amelia Island Lighthouse Reservation,

¹ So in original.

approved March 3, 1931, the land conveyed to such city pursuant to paragraph (6) of section 1 of the Act approved May 22, 1926, a tract bounded on the south by so much of the shell road as crosses section 12, on the east by the eastern boundary of section 12 with a water front nine hundred and sixty feet more or less, on the north by a straight line extending from such eastern boundary for one thousand feet more or less to the western boundary of section 12, and on the west by the western boundary of section 12 extending one thousand feet more or less to the shell road, containing twenty acres more or less. Any conveyance made by such city shall contain express conditions reserving to the United States (1) a perpetual easement for beams of lights from the Amelia Island Lighthouse, and (2) the right to trim any trees and to limit the height of any structures erected on such property that may obstruct the beams of such light.

Rights reserved.

Approved, May 4, 1934.

[CHAPTER 211.]

AN ACT

To repeal an Act of Congress entitled "An Act to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes", approved August 1, 1912.

May 4, 1934 [H.R. 3843.] [Public, No. 200.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Alaska.

Congress entitled "An Act to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes"

(37 Stat.L. 242–243), approved August 1, 1912, and the amendatory Vol. 37, p. 242; Vol. Act of March 3, 1925 (43 Stat.L. 1118), be, and the same are hereby, 43, p. 1118, repealed. repealed.

as they are applicable to placer mining claims, as heretofore extended claims effective in to the Territory of Alaska, and amendments thereto, except those Alaska. repealed by this Act, are declared to be in full force and effect in said Territory: *Provided*, That nothing herein shall be held to change or affect the rights acquired by locators or owners of placer-mining claims heretofore located in said Territory under the Act herein

Proviso. Existing rights.

Effective date.

SEC. 3. This Act shall take effect thirty days subsequent to the date of convening of the first regular session of the Alaska Territorial Legislature which is held after the passage of this Act.

Approved, May 4, 1934.

[CHAPTER 212.]

AN ACT

Authorizing pursers or licensed deck officers of vessels to perform the duties of the masters of such vessels in relation to entrance and clearance of same.

May 4, 1934 [H.R. 5038.] [Public, No. 201]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, United States of America in Congress assembled, That whenever, under any provision or provisions of any statute of the United States, ing to entrance and it is made the duty of the masters of vessels to make entry and clearance, may be performed by purser, etc. clearance of same, it shall be lawful for such duties to be performed by any licensed deck officer or purser of such vessel; and when such duties are performed by a licensed deck officer or purser of such vessel, such acts shall have the same force and effect as if performed by masters of such vessels: *Provided*, That nothing herein contained shall relieve the master of any penalty or liability provided by any statute relating to the entry or clearance of vessels.

Proviso. Liability of master.

Approved, May 4, 1934.

[CHAPTER 213.]

AN ACT

May 4, 1934. [H.R. 5397.] [Public, No. 202.]

To authorize the exchange of the use of certain Government land within the Carlsbad Caverns National Park for certain privately owned land therein.

Privilege to use tun-nel to remove guano deposits.

rorisos Removing other de-

Carlsbad Caverns
National Park, N.Mex.

Exchange of certain land within, authorized

Be it enacted by the Senate and House of Representatives of the Carlsbad Caverns

National Park, N.Mex.

Exchange of certain of the Interior be, and he is hereby, authorized to accompany to the control of the Interior be, and he is hereby. behalf of the United States for park purposes title to the northeast quarter northwest quarter section 31, township 24 south, range 25 east, New Mexico principal meridian, within the Carlsbad Caverns National Park, and to grant to the owner thereof in exchange therefor, under such regulations as may be deemed by said Secretary necessary and in the interest of the United States, the privilege to use a shaft or tunnel located in the northwest quarter northeast quarter section 31, township 24 south, range 25 east, of the same meridian, for the purpose of mining and removing guano from the said northeast quarter northwest quarter section 31, the right to said guano to be reserved to the owner in the transfer of title to said land to the United States pursuant to this Act: *Provided*, That in addition to said privilege the Secretary of the Interior may also authorize the removal, under such terms and conditions as he deems fair, of any guano located within or on Government lands adjacent to said deposit: Provided further, That evidence of title to the land to be conveyed to the United States hereunder, satisfactory to the Secretary of the Interior, shall be furnished without cost to the

Government. Approved, May 4, 1934.

[CHAPTER 214.]

AN ACT

May 4, 1934 [H.R. 6676.] [Public, No. 203.]

To require postmasters to account for money collected on mail delivered at their respective offices.

Postal Service. R.S., sec. 3846, p 752; U.S.C., p. 1237.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3846 of the Revised Statutes (U.S.C., title 39, sec. 46) is hereby amended to read as follows:
"Postmasters shall keep safely without loaning, using, depositing

Money collected by postmasters. Safekeeping.

money.

in an unauthorized bank, or exchanging for other funds, all the public money collected by them, or which may come into their possession, until it is ordered by the Postmaster General to be trans-Deemed public ferred or paid out. All money collected on mail delivered at their respective offices shall be deemed to be public money in the possession of the postmasters within the meaning of this section.

Approved, May 4, 1934.

[CHAPTER 215.]

AN ACT

May 4, 1934. [H.R. 7551.] [Public, No. 204.]

Authorizing the Secretary of Commerce to dispose of the Pass A'Loutre Lighthouse Reservation, Louisiana.

Pass A'Loutre Light-house Reservation, La. Conveyance of, to State, for park pur-poses, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey by quitclaim deed to the State of Louisiana for State park purposes the Pass A'Loutre Lighthouse Reservation, Louisiana, and all appurtenant structures located thereon, said reservation being described as follows: A tract of land known as the "Pass A'Loutre Lighthouse Reservation" situated in township 22 south, range 21 east, on the southwest portion of Middle Ground at the confluence of North Pass and Pass A'Loutre, Mississippi River Delta, Louisiana, comprising all that portion of sections 1 and 2 on Middle Ground west of a bayou which runs approximately north and south across Middle Ground, the mouth of said bayou being about seven hundred and sixty yards east of Pass A'Loutre Lighthouse tower, containing approximately two hundred acres: Provided, That if the use of the land is discontinued for State park purposes the title shall revert to the United States. Approved, May 4, 1934.

Description.

Proviso. Reversionary provi-

[CHAPTER 216.]

AN ACT

To authorize the Secretary of Commerce to transfer to the city of Bridgeport, Connecticut, a certain unused light-station reservation.

May 4, 1934. [H.R. 7744.] [Public, No. 205.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized on behalf of the United States to "Payerweather Isconvey to the city of Bridgeport, in the county of Fairfield, State and", authorized of Connecticut, a certain island known as "Fayerweather Island" which has been used as the Black Rock Light Station Reservation and which has heretofore been leased to said city of Bridgeport by the United States for use as a public park.

A portion of Fayerweather Island was conveyed to the United States by deed dated June 17, 1807, from Nicholas Fish to the

Description.

United States of America, and described as follows:

That certain piece or parcel of land lying in the town of Fairfield in the said State of Connecticut known and called the "Faverweather Island" and which forms the outer side of the "Black Rock Harbor" so called, and the same is bounded northerly on Black Rock Harbor, westerly on the mouth of said harbor, southeasterly on the sea beach or Long Island Sound, and northeasterly on the beach including the rocky point thereof adjoining the said island and is about eight acres in quantity, be the same more or less, which deed is recorded in volume 32, page 545, and in book B, page 43, of the town of Fairfield.

And the remaining portion of said island was conveyed to the United States by deed dated July 10, 1807, from Daniel Fayer-weather to the United States of America, one undivided half of a certain piece of land in quantity about eight acres in the whole piece, be the same more or less, and which piece of land lies in the town of Fairfield, in said county, and is known and called by the name of "Fayerweather Island", and the whole of said land is bounded northerly on Black Rock Harbor, westerly on the mouth of said harbor, easterly on the sea or Long Island Sound, northeasterly on the beach including the rocky point thereof adjoining said premises, which deed is recorded in volume 32, page 25, and in book R page 44 of the town of Fairfield. in book B, page 44, of the town of Fairfield.

Said deed from the United States shall convey all of said property park. Use, etc., as public to said city in perpetuity and shall provide that it shall always be used and maintained by said city as a public park, and if at any Reversionary provi-time the city discontinues the maintenance of said property as a public park, then the same shall revert to the Government of the United States.

Approved, May 4, 1934.

73d CONGRESS. SESS. II. CHS. 217-219. MAY 4, 7, 1934.

[CHAPTER 217.]

AN ACT

May 4, 1934. [H.R. 7793.] [Public, No. 206.]

Authorizing a preliminary examination of the Ogeechee River in the State of Georgia, with a view to controlling of floods.

Ogeechee River, Ga. Preliminary exami-nation of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to cause a preliminary examination to be made of the Ogeechee River, in the State of Georgia, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917. The Payment of expenses. cost of such examination shall be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Approved, May 4, 1934.

Vol. 39, p. 950.

[CHAPTER 218.]

AN ACT

May 4, 1934. [H.R. 7200.] [Public, No. 207.]

To provide for the addition of certain lands to the Chickamauga and Chattanooga National Military Park in the States of Tennessee and Georgia.

Chickamauga and Chattanooga National Military Park, Tenn.-Ga.

Addition authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States lands, easements, and buildings as may be donated for an addition to the Chickamauga and Chattanooga National Military Park lying within what is known as the "Chattanooga-Lookout Mountain Park" (a corporation, Adolph S. Ochs, president) and/or any lands within one mile of said Chattanooga-Lookout Mountain Park in the States of Tennessee and Georgia.

Laws extended. U.S.C., p. 415.

That all laws affecting the Chickamauga and Chattanooga National Military Park shall be extended and apply to any addition or additions which may be added to said park under the authority of this Act.

Approved, May 4, 1934.

[CHAPTER 219.]

AN ACT

May 7, 1934. [H.R. 3345.] [Public, No. 208.]

To authorize the Department of Agriculture to issue a duplicate check in favor of the Mississippi State treasurer, the original check having been lost.

No indemnity bond required.
U.S.C., p. 1009.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstand-less in favor of, authorized.

No indemnity bend America in Congress assembled, That notwithstanding the provisions of sections 3646, as amended, of the Revised Stathard Indemnity bend America in Congress assembled as a mended, of the Depart of the D Agriculture is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered 534971 drawn April 3, 1929, in favor of the Mississippi State treasurer for \$1,871.02, and lost, stolen, or miscarried in the mails.

Approved, May 7, 1934.

[CHAPTER 220.]

AN ACT

To amend section 198 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended by the Acts of May 18, 1916, and July 28, 1916.

[Public, No. 209.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 198
Of the Act entitled "An Act to codify, revise, and amend the penal 39, pp. 102, 418, amendlaws of the United States", approved March 4, 1909, as amended by ed. U.S.C., p. 485, amendthe Acts of May 18, 1916, and July 28, 1916 (U.S.C., title 18, sec. ed.

321), be, and the same is hereby, amended to read as follows:

"Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the etc., or stealing mail receipt or delivery of mail on any mail route, or shall break open therefrom. the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle; or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than \$1,000 or by imprisonment for not more than three years.

Sec. 2. Whoever shall knowingly or willfully deposit any mailable designated matter in matter such as statements of accounts, circulars, sale bills, or other such receptacles with like matter on which he postage has been poid in any latter boy out postage. like matter, on which no postage has been paid, in any letter box established, approved, or accepted by the Postmaster General for the receipt or delivery of mail matter on any mail route with intent to avoid payment of lawful postage thereon; or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than \$300.

Accessory, etc. Punishment for.

Penalty for.

Approved, May 7, 1934.

[CHAPTER 221.]

AN ACT

Granting citizenship to the Metlakahtla Indians of Alaska.

May 7, 1934 [H.R. 4808.] [Public, No. 210.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Indians Metlakahtla, etc., of the Tsimshian Tribe, and those people known as Metlakahtlans, to who emigrated from Metlakahtla, British Columbia, Canada, to Annette Island, in the Alexander Archipelago in southeastern Alaska in the year 1887, and there established a colony known as Metla-kahtla, Alaska, and any and all other British Columbia Indians who joined them there not later than January 1, 1900, and have since resided continuously therein, having been faithful and loyal to the Constitution, laws and the Government of the United States,

Citizenship granted

Vol. 26, p 1101.

are hereby declared to be citizens of the United States.

Sec. 2. The granting of citizenship to the said Indians shall not in Indians of Indians. any manner affect the rights, individual or collective, of the said Indians to any property, nor shall it affect the rights of the United United Supervision, etc., by States Government to supervise and administer the affairs of the said Metlakahtla Colony. And any reservations heretofore made by any Act of Congress or Executive order or proclamation for the orders, etc., concerning. benefit of the said Indians shall continue in full force and effect and shall continue to be subject to modification, alteration, or repeal by the Congress or the President, respectively.

Approved, May 7, 1934.

[CHAPTER 222.]

AN ACT

May 7, 1934 [H.R. 8889.] [Public, No. 211.]

To provide for the custody and maintenance of the United States Supreme Court Building and the equipment and grounds thereof.

United States Su-preme Court Building. Care of. Post, p. 1036.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol shall have charge of the structural and mechanical care of the United States Supreme Court Building, including the care and maintenance of the grounds, and the supplying of all mechanical furnishings and mechanical equipment for the building. The operation and maintenance of the mechanical equipment and repair of the building shall be performed under his direction and he is authorized to enter into all necessary contracts.

Employees.

SEC. 2. Employees required for the performance of the foregoing Appointment, pay, shall be (a) appointed by the Architect of the Capitol with the Vol. 42, p. 1488; Vol. 45, p. 776; Vol. 46, p. as amended (U.S.C. Supp. VI title 5 ch. 12) as amended (U.S.C., Supp. VI, title 5, ch. 13); and (c) be subject to U.S.C., p. 65, Supp. the provisions of the Act entitled "An Act for the retirement of VII, p. 34. employees in the classified civil service, and for other purposes" approved May 22, 1920, as amended (U.S.C., Supp. VI, title 5, ch. 14).

Marshal to be super-intendent of building.

Other duties, etc.

SEC. 3. All other duties and work required for the operation, domestic care, and custody of the building shall be performed under the direction of the Marshal of the Supreme Court of the United States, who shall be superintendent of the United States Supreme Court Building, and employees (including elevator operators) required for the performance of such duties shall be appointed by the Marshal with the approval of the Chief Justice.

Disbursements.

SEC. 4. Appropriations for the work under the jurisdiction of the Architect of the Capitol shall be disbursed by the Marshal upon certified vouchers submitted by the Architect of the Capitol.

Approved, May 7, 1934.

[CHAPTER 223.]

AN ACT

May 7, 1934. [H.R. 6166.] [Public, No. 212.]

Providing for payment of \$25 to each enrolled Chippewa Indian of Minnesota from the funds standing to their credit in the Treasury of the United States.

Vol. 25, p. 645.

Be it enacted by the Senate and House of Representatives of the Chippewa Indians of Minnesota.

Per capita payment to, from tribal funds.

Treasury so much as may be necessary of the principal fund on deposit to the credit of the Chippewa Indians. At the State of Minnesota. sota, under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889, as amended, and to make therefrom payment of \$25 to each enrolled Chippewa Indian of Minnesota, under such regulations as such Secretary shall prescribe. No payments shall be made under this Act until the Chippewa Indians of Minnesota shall, in such manner as such Secretary shall prescribe, have accepted such payments and ratified the provisions of this Act. The money paid to the Indians under this Act shall not be subject to any lien or claim of whatever nature against any of said Indians.

Approved, May 7, 1934.

[CHAPTER 224.]

JOINT RESOLUTION

To provide appropriations to meet urgent needs in certain public services, and for [H.J.Res. 332.] [Pub. Res., No. 23] other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the follow-tain public services. ing sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes hereinafter enumerated:

LEGISLATIVE

Legislative.

SENATE

Senate.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1934, \$150,000: Provided, That except in Provisos Personal services rethe case of the Joint Committee on Internal Revenue Taxation no struction. professional, or otherwise, in excess of the rate of \$3,600 per annum: Provided further, That no part of this appropriation shall be mitation. expended for per diem and subsistence expenses except in accordance Vol. 44, p. 688. U.S.C., Supp. VII, p. with the provisions of the Subsistence Expense Act of 1926, approved 53 June 3, 1926, as amended.

Inquiries and investi-gations.

HOUSE OF REPRESENTATIVES

House of Representatives.

For expenses of special and select committees authorized by the mittees. House, fiscal year 1934, \$35,000.

Select, etc., com-

TREASURY DEPARTMENT PUBLIC DEBT SERVICE

Treasury Depart-

Public Debt Service.

The limitation on the price per pound permitted to be paid for distinctive paper for United States securities under the appropriation for the purchase of such paper in the Treesury Department.

Distinctive paper. Price limitation repealed. Vol. 47, p. 1492. tion for the purchase of such paper in the Treasury Department Appropriation Act, 1935, is hereby repealed.

PROCUREMENT DIVISION

Procurement Division.

Washington, District of Columbia, furniture for triangle buildings: The Secretary of the Treasury is hereby authorized to expend not to exceed the sum of \$472,454 out of the aggregate of the unexpended balances under the authorizations for the construction of the new buildings for the Departments of Justice, Post Office, and Labor, and the Interstate Commerce Commission, the connecting wing between the Interstate Commerce Commission and Department of Labor Buildings, and the Archives Building as may be required to provide the necessary furniture and furnishings for said buildings, and the unexpended portion of the appropriations available for the construction of such buildings is hereby made available for that purpose, and the Director of Procurement, Treasury Department, is hereby authorized to make contracts, after advertising and competitive bidding, without regard to section 4 of the vol. Act approved June 17, 1910 (ch. 297, sec. 4, 36 Stat. 531), for the waived. purchase of said furniture and furnishings, and to make expenditures for services, supplies, material, and equipment, including moving services and the reconditioning of old furniture and the temporary rental of space therefor, and necessary travel and subsistence

Triangle buildings, Washington, D.C. Furniture, etc. Funds available.

Contracts author-36. p. 531,

Contingent expenses.

Temporary, etc..

Provisos. Outside technical, etc., services. Auditorium furnish-

Rate limitations on furnishing Cabinet, etc., officers' suites.

in connection with the inspection of commodities to be contracted for or purchased; and, when deemed desirable or advantageous by him, the said Director of Procurement is authorized to employ, by contract or otherwise, without regard to civil-service laws and regulations, such temporary outside professional or technical services as he may find necessary in furnishing those portions of the said buildings requiring special treatment, all within the total amount made available herein: Provided, That not to exceed \$10,000 may be expended for such temporary outside professional or technical services: Provided further, That not to exceed \$31,515 may be expended for furniture and furnishings for the auditorium located in the connecting wing between the Interstate Commerce Commission and Department of Labor Buildings: Provided further, That the cost of furniture and furnishing for Cabinet officers' suites, Assistant Cabinet officers' suites, executive officers' suites, and conference and hearing rooms for the Interstate Commerce Commission shall be based upon the square-foot area of the rooms to be furnished, and shall not exceed the rates set forth herein, as follows: For Cabinet officers' suites and conference rooms for the Interstate Commerce Commission, \$1.75 per square foot; for Assistant Cabinet officers' suites, \$1.50 per square foot; and for executive officers' suites. \$1 per square foot.

War Department.

WAR DEPARTMENT

Panama Canal.

PANAMA CANAL

Repatriation of certain unemployed aliens.

For repatriation of unemployed aliens who have been employed in the service of the United States Government or the Panama Railroad Company on the Isthmus of Panama for three or more years at any time, and repatriation of members of families of such alien former employees, including expenses of transportation of such alien former employees and members of their families, and the payment in cash of not to exceed \$100 to each such alien former employee Rehabilitation after for assistance in rehabilitation after repatriation, \$150,000, to be expended under the direction of the Governor of the Panama Canal and to be available until expended.

Approved, May 7, 1934.

repatriation.

[CHAPTER 263.]

AN ACT

May 9, 1934. [H.R. 8861.] [Public, No. 213.]

To include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Agricultural Adjustment Act amendments.

Basic agricultural commodities.

"Sugar beets and sugarcane" added.

"Sugar beets and sugarcane" added.

Atter p. 38

Be it enacted by the Senate and House of Representatives of the Congress assembled, That section 11 of the Agricultural Adjustment Act, as amended, is amended by adding after the word "tobacco" a comma and the words "sugar beets and sugarcane", followed by a comma.

Ante, p. 38. Definitions. Ante, p. 36.

Sec. 2. Subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is amended by adding after paragraph (5) thereof the following:

"First domestic processing."

"(6) In the case of sugar beets and sugarcane—
"(A) The term 'first domestic processing' means each domestic processing, including each processing of successive domestic processings, of sugar beets, sugarcane, or raw sugar, which directly results in direct-consumption sugar.

"Sugar."

"(B) The term 'sugar' means sugar in any form whatsoever, derived from sugar beets or sugarcane, whether raw sugar or direct-

consumption sugar, including also edible molasses, sirups and any mixture containing sugar (except blackstrap molasses and beet molasses).

"(C) The term 'blackstrap molasses' means the commercially so-

designated 'byproduct' of the cane-sugar industry, not used for ses." human consumption or for the extraction of sugar.

"(D) The term 'beet molasses' means the commercially so-designated 'byproduct' of the beet-sugar industry, not used for human

consumption or for the extraction of sugar.

"(E) The term 'raw sugar' means any sugar, as defined above, manufactured or marketed in, or brought into, the United States, in any form whatsoever, for the purpose of being, or which shall be, further refined (or improved in quality, or further prepared for distribution or use).

"(F) The term 'direct-consumption sugar' means any sugar, as "Direct-consumption defined above, manufactured or marketed in, or brought into, the sugar." United States in any form whatsoever, for any purpose other than to be further refined (or improved in quality, or further prepared for

distribution or use).

"(G) The term 'raw value' means a standard unit of sugar testing ninety-six sugar degrees by the polariscope. All taxes shall be imposed and all quotas shall be established in terms of 'raw value' and for purposes of quota and tax measurements all sugar shall be translated into terms of 'raw value' according to regulations to be issued by the Secretary, except that in the case of direct-consumption sugar produced in continental United States from sugar beets the raw value of such sugar shall be one and seven one-hundredths times

the weight thereof."

Sec. 3. (a) The first two sentences of subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, are amended to Proceed as follows: "The processing tax shall be at such rate as equals rate. the difference between the current average farm price for the comthe Secretary has reason to believe that the tax at such rate on the consumption, causing processing of the commodity generally or for any particular use or surplus stocks. uses will cause such reduction in the quantity of the commodity or products thereof domestically consumed as to result in the accumulation of surplus stocks of the commodity or products thereof or in the depression of the farm price of the commodity, then he shall cause an appropriate investigation to be made and afford due notice and opportunity for hearing to interested parties. If thereupon the Rate reduction au-Secretary finds that any such result will occur, then the processing thorized. tax on the processing of the commodity generally, or for any designated use or uses, or as to any designated product or products thereof for any designated use or uses, shall be at such rate as will prevent such accumulation of surplus stocks and depression of the farm price of the commodity."

(b) Subsection (b) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by adding at the end thereof the following: "In the case of sugar beets or sugarcane the rate of tax shall be applied to the direct-consumption sugar, resulting from the first domestic processing, translated into terms of pounds of raw value according to regulations to be issued by the Secretary of Agriculture, and the rate of tax to be so applied shall be the birth. of the two following quotients: The difference between the current average farm price and the fair exchange value (1) of a ton of sugar beets and (2) of a ton of sugarcane, divided in the case of each commodity by the average extraction therefrom of sugar in terms of pounds of raw value (which average extraction shall be

"Beet molasses."

"Raw sugar."

"Raw value."

Exception.

Ante, p. 36.

Processing tax. Determination of

Investigations.

Tax rate not to exceed reduction of rate on pound of raw value.
Vol. 46, p. 630.

determined from available statistics of the Department of Agriculture); except that such rate shall not exceed the amount of the reduction by the President on a pound of sugar raw value of the rate of duty in effect on January 1, 1934, under paragraph 501 of the Tariff Act of 1930, as adjusted to the treaty of commercial reciprocity concluded between the United States and the Republic of Cuba on December 11, 1902, and/or the provisions of the Act of December 17, 1903, chapter 1."

Commodity benefits. Ante, p. 35.

Standards for exercise of powers by Secretary of Agriculture.

Sec. 4. Section 8 of the Agricultural Adjustment Act, as amended, is amended by adding at the end thereof the following new section:

"Sec. 8a. (1) Having due regard to the welfare of domestic

producers and to the protection of domestic consumers and to a just relation between the prices received by domestic producers and the prices paid by domestic consumers, the Secretary of Agriculture may, in order to effectuate the declared policy of this Act, from

time to time, by orders or regulations-

Quotas to be fixed. Orders forbidding importing, processing, etc., in excess of.

"(A) (i) Forbid processors, handlers of sugar, and others from importing sugar into continental United States for consumption, or which shall be consumed, therein, and/or from transporting to, receiving in, processing or marketing in, continental United States,

and/or from processing in any area to which the provisions of this title with respect to sugar beets and sugarcane may be made applicable, for consumption in continental United States, sugar from the Virgin Islands, the Philippine Islands, the Canal Zone, American Samoa, the island of Guam, and from foreign countries, including Cuba proportively in average of guestes fixed by the Samotary of

Cuba, respectively, in excess of quotas fixed by the Secretary of Agriculture, for any calendar year, based on average quantities therefrom brought into or imported into continental United States for consumption, or which was actually consumed, therein, during

such three years, respectively, in the years 1925-1933, inclusive, as the Secretary of Agriculture may, from time to time, determine to be the most representative respective three years, adjusted, together

with the quotas established pursuant to paragraph (ii), (in such manner as the Secretary shall determine) to the remainder of the total estimated consumption requirements of sugar for continental United States, determined pursuant to subsection (2) of this section,

sugar therefrom brought into or imported into continental United

after deducting therefrom the quotas for continental United States, provided for by paragraph (B) of this subsection: Provided, how-sugar from insular possessions included.

ever, That in such quotas there may be included, in the case of the Virgin Islands, the Philippine Islands, the Canal Zone, American Samoa, and the island of Guam, direct-consumption sugar up to an amount not exceeding the respective quantities of direct-consumption

From Cubs.

Adjustment.

Imports where drawback allowed deemed nonquota. Vol. 46, p. 693.

Readjustments permitted.

Allotments; delegation of authority.

States for consumption, or which was actually consumed, therein during the year 1931, 1932, or 1933, whichever is greater, and in the case of Cuba, direct-consumption sugar up to an amount not exceeding 22 per centum of the quota established for Cuba: And provided further, That any imported sugar, with respect to which a drawback of duty is allowed, under the provisions of section 313 of the Tariff

Act of 1930, shall not be charged against the quota established by the Secretary of Agriculture hereunder for the country from which such sugar was imported, and the Secretary of Agriculture may, by orders or regulations, readjust any quota subject to the provisions of this section, except quotas fixed by paragraph (B) of this sub-

section; and may allot (or appoint an officer, including the Governor General of the Philippine Islands for that area, in his name to allot) any quota, and readjust any such allotment, from time to time, among the processors, handlers of sugar and others; and/or

"(ii) Forbid processors, handlers of sugar, and others from trans- Hawaii and Puerto porting to, receiving in, processing or marketing in, continental United States, and/or from processing in the Territory of Hawaii Quotas of, importing or Puerto Rico for consumption in continental United States, sugar from the Territory of Hawaii or Puerto Rico, in excess of quotas fixed by the Secretary of Agriculture, for any calendar year, based on average quantities therefrom brought into continental United States for consumption, or which was actually consumed, therein during such three years, respectively, in the years 1925-1933, inclu-quotas. sive, as the Secretary of Agriculture may, from time to time, determine to be the most representative respective three years, adjusted, together with the quotas established pursuant to paragraph (i), (in such manner as the Secretary shall determine) to the remainder of the total estimated consumption requirements of sugar for continental United States, determined pursuant to subsection (2) of this section, after deducting therefrom the quotas for continental United States, provided for by paragraph (B) of this subsection: direct-consumption sugar up to an amount not exceeding the respective quantities of direct-consumption sugar therefroe the respective quantities of direct-consumption sugar therefore the respective quantities of direct-consumption sugar therefore the respective quantities of direct-consumption sugar therefore the respective quantities of direct-consumption sugar up to an amount not exceeding the respective quantities of direct-consumption sugar therefore the respective quantities of direct-consumption sugar up to an amount not exceeding the respective quantities of direct-consumption sugar up to an amount not exceeding the respective quantities of direct-consumption sugar up to an amount not exceeding the respective quantities of direct-consumption sugar the respective quantities and the respective quantities are the respe continental United States for consumption, or which was actually consumed, therein during the year 1931, 1932, or 1933, whichever is greater, and the Secretary of Agriculture may, by orders or regulations, allot such quotas and readjust any such allotment, from time to time, among the processors, handlers of sugar, and others; and/or

"(B) Forbid processors, handlers of sugar, and others from marketing in, or in the current of, or in competition with, or so as to or cane.

"(B) Forbid processors, handlers of sugar, and others from marnentally produced beets
or cane. burden, obstruct, or in any way affect, interstate or foreign comterference in commerce
merce, sugar manufactured from sugar beets and/or sugarcane, in excess of quotas. produced in the continental United States beet-sugar-producing area, the States of Louisiana and Florida, and any other State or States in excess of the following quotas, for any calendar year, except as provided for in subsection (2) of this section: United States beetsugar area, one million five hundred and fifty thousand short tons raw value; the States of Louisiana and Florida, except as may be ida. provided under paragraph (C) of this subsection, two hundred and sixty thousand short tons raw value; and the Secretary of Agri-Allotments. culture may, by orders or regulations, allot such quotas and readjust any such allotment, from time to time, among the processors, handlers of sugar, and others; and/or

"(C) For any calendar year, determine the quota, but not less areas; raw value basis. than the quota provided in paragraph (B), for any area producing less than two hundred and fifty thousand long tons of sugar raw

value during the next preceding calendar year; and/or

"(D) Establish a separate quota or quotas for edible molasses separate quotas for sugar and/or sirup of cane juice produced in continental United States, mixtures. in addition to, and/or for edible molasses, sirups, and sugar mixtures produced in any other area or areas to which this title relates, addition to other desapart of or in addition to, the quotas established pursuant to ignated quotas.

paragraphs (A) to (C), inclusive, of this subsection, for use as such and not for the extraction of sugar.

"(2) (A) The consumption requirements of sugar for continental United States, for the calendar year 1934, and for each succeeding during relation calendar year, shall be determined by the Secretary of Agriculture thereto. calendar year, shall be determined by the Secretary of Agriculture from available statistics of the Department of Agriculture. The consumption requirements so determined shall, at such intervals as the Secretary finds necessary to effectuate the declared policy and

Adjustment.

Allotments and read-

the purposes of this Act, be adjusted by him to meet the actual requirements of the consumer as determined by the Secretary.

Proration of excess if consumption requirements exceed estimate.

Proviso. Allotment to continental United States.

Proration of consumption requirements, when found less than estimate.

Proration when deficiency in producing

Deduction of surplus stock from quota

Child labor.
Agreements to limit or regulate.

Minimum wage pro-

putes

Willfully exceeding quota, etc

(B) In the event that available statistics of the Department of Agriculture during the course of any calendar year indicate that the consumption requirements of sugar for continental United States for such calendar year will exceed the amount of the consumption requirements determined for that year, the Secretary of Agriculture may prorate such estimated excess amount on the basis of the respective quotas determined by and pursuant to subsection (1) of this section: Provided, however, That for each calendar year there shall be allotted to continental United States not less than 30 per centum of any amount of consumption requirements therefor above six million four hundred and fifty-two thousand short tons raw value.

"(C) In the event that available statistics of the Department of Agriculture during the course of any calendar year indicate that the consumption requirements of sugar for continental United States for such year will be less than the amount of the consumption requirements determined for that year, the amount of such deficiency may be proportionately deducted from the respective quotas determined by and pursuant to paragraph (A) of subsection (1) of this section.

"(D) If, during any calendar year, any producing area is unable to produce and deliver its full quota of sugar, the Secretary of Agriculture may prorate this deficiency among the other areas on the basis of their respective quotas and ability to supply the deficiency.

"(E) Notwithstanding the provisions of paragraphs (A) to (C), inclusive, of subsection (1) of this section, the Secretary of Agriculture may, in order to effectuate the declared policy of this Act, from time to time, by orders or regulations, deduct from the quotas for production, importing, receiving, and/or marketing, and/or from the allotments thereof, established pursuant to said paragraphs, in any given year, an amount for each year, respectively, representing the surplus stocks of sugar produced in that area, or a portion of the total surplus stocks of sugar produced in that area, in whole or in part, which may have accumulated in the year next preceding, over and above the quotas established for such year.

"(3) In order more fully to effectuate the declared policy of this Act, as set forth in its declaration of policy, and to insure the equitable division between producers and/or growers and/or the processors of sugar beets or sugarcane of any of the proceeds which may be derived from the growing, processing and/or marketing of such sugar beets or sugarcane, and the processing and/or marketing of the products and byproducts thereof, all agreements authorized by this Act relating to sugar beets, sugarcane, or the products thereof may contain provisions which will limit or regulate child labor, and will fix minimum wages for workers or growers employed by the producers and/or processors of sugar beets and/or sugarcane who are parties to such agreements; and the Secretary, upon the request of any producer, or grower, or worker, or of any association of producers, or growers, or workers, or of any processor, of sugar beets Adjudicating dis or sugarcane, is hereby authorized to adjudicate any dispute as to any of the terms under which sugar beets or sugarcane are grown or are to be grown and/or marketed, and the sugar and byproducts Secretary's decision thereof are to be marketed. The decision and any determination of final. the Secretary shall be final.

"(4) Any person willfully violating any order or regulation of Penalties, etc. "(4) Any person willfully violating any order or regulation of Violating Secretary's the Secretary of Agriculture issued under this section shall, upon conviction, be punished by a fine of not more than \$100.

"(5) Any person willfully exceeding any quota or allotment fixed for him under this title by the Secretary of Agriculture, and any

other person knowingly participating, or aiding, in the exceeding of said quota or allotment, shall forfeit to the United States a sum equal to three times the current market value of such excess, which forfeiture shall be recoverable in a civil suit brought in the name of the United States.

"(6) The several district courts of the United States are hereby Jurisdiction vested in district courts." vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, the provisions of this section, or of any order, regulation, agreement, or license heretofore or hereafter made or issued pursuant to this title, in any proceeding now pending or hereafter brought in said courts.

"(7) Upon the request of the Secretary of Agriculture, it shall be the institute enforcement duty of the several district attorneys of the United States, in their proceedings. respective districts, under the directions of the Attorney General, to institute proceedings to enforce the remedies and to collect the

forfeitures provided for in, or pursuant to, this title.

"(8) The remedies provided for in this section shall be in addition to, and not exclusive of, any of the remedies or penalties provided for elsewhere in this title or now or hereafter existing at law

or in equity.

"(9) The term 'person' as used in this title includes an individual, partnership, corporation, association, and any other business unit."

Sec. 5. Paragraph (6) of subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is hereby renumbered (7).

SEC. 6. Section 9 of the Agricultural Adjustment Act, as amended, is amended, by adding after subsection (e) thereof the following new subsection:

"(f) For the purposes of part 2 of this title, processing shall be "Processing" in included in the cludes manufacturing.

held to include manufacturing."

ment Act, as amended, is amended by striking out the period at to possession of U.S. the end of such subsection and adding a semicolon an the end of such subsection and adding a semicolon and the following: "except that, in the case of sugar beets and sugarcane, the President, if he finds it necessary in order to effectuate the declared policy of this Act, is authorized by proclamation to make the provisions of this title applicable to the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and/or the island of

SEC. 8. Section 15 of the Agricultural Adjustment Act, as amended, is amended by adding at the end thereof the following new

subsection:

"(f) The President, in his discretion, is authorized by procla- Processing tax colmation to decree that all or part of the taxes collected from the sessions, etc. processing of sugar beets or sugarcane in Puerto Rico, the Territory of Hawaii, the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and/or the island of Guam (if the provisions of this title are made applicable thereto), and/or upon the processing in continental United States of sugar produced in, or coming from, said areas, shall not be covered into the general fund of the Treasury tenance as of the United States but shall be held as a separate fund, in the Expenditure name of the respective area to which related, to be used and expended at of local agriculture. for the benefit of agriculture and/or paid as rental or benefit payments in connection with the reduction in the acreage, or reduction in the production for market, or both, of sugar beets and/or sugarcane, and/or used and expended for expansion of markets and for removal of surplus agricultural products in such areas, respectively, as the Secretary of Agriculture, with the approval of the President, shall direct."

Remedies.

"Person" defined.

Ante, pp. 528, 670.

Ante, p. 37. Post, p. 1242.

Ante, p. 39.

Discretionary main-enance as separate

Processing tax; rental and benefit payments.

Ante, p. 35.

Effective date.

Marketing year.

Ante, p. 40.

Floor stocks.

Tax payments on, before release from customs.

Payments in case of sugar.

Ante, p. 40.
Equalizing tax on imports.

Ante. p. 40.

Exportation of taxpaid product. Refunds authorized.

Applicability to exports to certain U.S. pessessions.

"Product" defined.

Processing for exportation, Ante, p. 41.

Commodity benefits. Ante, p. 34.

Payments in case of sugar beets or sugar-cane.

SEC. 9. Subsection (a) of section 9 of the Agricultural Adjustment Act, as amended, is further amended by striking out the period after the word "proclamation", in line 8, and inserting in lieu thereof a semicolon and the following: "except that, in the case of sugar beets and sugarcane, the Secretary of Agriculture shall, on or before the thirtieth day after the adoption of this amendment, proclaim that rental or benefit payments with respect to said commodities are to be made, and the processing tax shall be in effect on and after the thirtieth day after the date of the adoption of this amendment. In the case of sugar beets and sugarcane, the calendar year shall be considered to be the marketing year and for the year 1934 the marketing year shall begin January 1, 1934."

keting year shall begin January 1, 1934."

Sec. 10. Section 16 (a) (1) of the Agricultural Adjustment Act, as amended, is amended by inserting at the end thereof the following:

"Such tax upon articles imported prior to, but in customs custody or control on, the effective date, shall be paid prior to release therefrom. In the case of sugar, the tax on floor stocks, except the retail stocks of persons engaged in retail trade, shall be paid for the month in which the stocks are sold, or used in the manufacture of other articles, under rules and regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury."

SEC. 11. Section 15 (e) of the Agricultural Adjustment Act, as amended, is amended by striking out in lines 3 and 4 the words "in chief value", and inserting in lieu thereof the word "partly"; by inserting in line 7, after the comma following the word "apply", the words "whether imported as merchandise, or as a container of merchandise, or otherwise" followed by a comma; and by inserting in line 9, after the word "processing", the words "of such commodity".

Sec. 12. Section 17 (a) of the Agricultural Adjustment Act, as amended, is amended, effective as of the date of the enactment of the said Act, to read as follows:

"(a) Upon the exportation to any foreign country (and/or to the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and the island of Guam) of any product with respect to which a tax has been paid under this title, or of any product processed wholly or partly from a commodity with respect to which product or commodity a tax has been paid under this title, the tax due and paid shall be refunded. The refund shall be paid to the exporter or to the consignor named in the bill of lading under which the product is exported, as determined under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the

Secretary of the Treasury. In the case of sugar beets and sugarcane, this subsection shall be applicable to exports of products thereof to the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and/or the island of Guam only if this title with respect to sugar beets and sugarcane is not made applicable thereto. The term 'product' includes any product exported as merchandise, or as a container for merchandise, or otherwise."

Sec. 13. Section 17 (b) of the Agricultural Adjustment Act, as amended, is amended by striking out in line 6 the words "in chief value" and inserting in lieu thereof the word "partly".

SEC. 14. Subsection (1) of section 8 of the Agricultural Adjustment Act, as amended, is amended by striking out the period at the end of the first sentence, and inserting in lieu thereof a semicolon and the following: "and, in the case of sugar beets or sugarcane, in the event that it shall be established to the satisfaction of the Secretary of Agriculture that returns to growers or producers, under the contracts for the 1933-1934 crop of sugar beets or sugar-

cane, entered into by and between the processors and producers and/or growers thereof, were reduced by reason of the payment of the processing tax, and/or the corresponding floor-stocks tax, on sugar beets or sugarcane, in addition to the foregoing rental or benefit payments, to make such payments, representing in whole or in part such tax, as the Secretary deems fair and reasonable, to to acroage reduction producers who agree, or have agreed, to participate in the program for reduction in the acreage or reduction in the production for market, or both, of sugar beets or sugarcane."

SEC. 15. Section 13 of the Agricultural Adjustment Act, as Duration of tax; termination of powers. amended, is amended by inserting after the first sentence thereof the following: "In the case of sugar beets and sugarcane, the taxes provided by this title shall cease to be in effect, and the powers vested in the President or in the Secretary of Agriculture shall terminate at the end of three years after the adoption of this amendment unless this title ceases to be in effect at an earlier date, as herein-

above provided."

SEC. 16. The Agricultural Adjustment Act, as amended, is amended by the addition of the following new section numbered

"Sec. 20. (a) Whoever in connection with the purchase of, or offer to purchase, any commodity, subject to any tax under this title, or which is to be subjected to any tax under this title, makes any statement, written or oral, (1) intended or calculated to lead any person to believe that any amount deducted from the market price or the ket price. agreed price of the commodity consists of a tax imposed under this title, or (2) ascribing a particular part of the deduction from the market price or the agreed price of the commodity, to a tax imposed under this title, knowing that such statement is false or that the tax is not so great as the amount deducted from the market price or the agreed price of the commodity, ascribed to such tax, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$1,000 or by imprisonment for not exceeding six months, or both.

"(b) Whoever in connection with the processing of any commodity ing processing." subject to any tax under this title, whether commercially, for toll, upon an exchange, or otherwise, makes any statement, written or oral, (1) intended or calculated to lead any person to believe that any part of the charge for said processing, whether commercially, for toll, upon an exchange, or otherwise, consists of a tax imposed under this title, or (2) ascribing a particular part of the charge for processing, whether commercially, for toll, upon an exchange, or otherwise, to a tax imposed under this title, knowing that such statement is false, or that the tax is not so great as the amount charged for said processing ascribed to such tax, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$1,000 or by imprisonment for not exceeding six

months, or both.

"(c) Whoever in connection with any settlement, under a contract cerning gross sales.

"Misstatements cerning gross sales. to buy any commodity, and/or to sell such commodity, or any product or byproduct thereof, subject to any tax under this title, makes any statement, written or oral, (1) intended or calculated to lead any person to believe that any amount deducted from the gross sales price, in arriving at the basis of settlement under the contract, consists of a tax under this title, or (2) ascribing a particular amount deducted from the gross sales price, in arriving at the basis of settlement under the contract, to a tax imposed under this title, knowing that such statement is false, or that the tax is not so great as the amount so deducted and/or ascribed to such tax, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a

Ante, p 39.

Ante, p. 41, amended.

Penalty provisions. False representations.

Deductions in mar-

Punishment for.

Misstatements con-

fine of not more than \$1,000 or by imprisonment for not exceeding six months, or both."

Floor stocks. Ante, p. 40.
Prior imports, duty paid.

SEC. 17. Section 16 of the Agricultural Adjustment Act, as amended, is amended by adding the following new subsections:

Processed from sugar beets, cane, etc.

not to apply.

Secretary authorized to make purchases from surplus stocks.

Ante, p. 672. Not included in quota. Use of receipts. .1nte, p. 38.

"(c) (1) Any sugar, imported prior to the effective date of a processing tax on sugar beets and sugarcane, with respect to which it is established (under regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury) that there was paid at the time of importation a duty at sugar held under the rate in effect on January 1, 1934, and (2) any sugar held on April 25, 1934, by, or to be delivered under a bona fide contract of sale entered into prior to April 25, 1934, to, any manufacturer or converter, for use in the production of any article (except sugar) and not for ultimate consumption as sugar, and (3) any article (except sugar) processed wholly or in chief value from sugar beets, sugarcane, or any product thereof, shall be exempt from taxation under subsection (a) of this section, but sugar held in customs custody or control on April 25, 1934, shall not be exempt from taxation under subsection (a) of this section, unless the rate of duty paid upon the withdrawal thereof was the rate of duty in effect on Certain tax refunds January 1, 1934. The provisions of paragraph (2) of subsection (a) of this section shall not apply in the case of sugar beets or sugarcane or the products thereof.

"(d) The Secretary of Agriculture is authorized to purchase, out of such proceeds of taxes as are available therefor, during the period this Act is in effect with respect to sugar beets and sugarcane, not in excess of three hundred thousand tons of sugar raw value from the surplus stocks of direct-consumption sugar produced in the United Price; disposal of, etc. States beet-sugar area, at a price not in excess of the market price for direct consumption sugar on the date of purchase, and to dispose of such sugar by sale or otherwise, including distribution to any organization for the relief of the unemployed, under such conditions and at such times as will tend to effectuate the declared policy of section 8a of this Act. The sugar so purchased shall not be included in the quota for the United States beet-sugar area. All proceeds received by the Secretary of Agriculture, in the exercise of the powers granted hereby, are appropriated to be available to the Secretary of Agriculture for the purposes described in subsections (a) and (b) of section 12 of this Act.

Approved, May 9, 1934, 11.23 a.m.

[CHAPTER 264.]

AN ACT

May 9, 1934. [S. 2922.] [Public, No. 214.]

To amend the Act entitled "An Act to promote the circulation of reading matter among the blind", approved April 27, 1904, and Acts supplemental thereto.

Promoting circulation of reading matter for the blind.

U.S.C., p. 1257.

Franking privilege extended to sound production records.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote the circulation of reading matter among Vol. 33, p. 313; Vol. 43, p. 551; Vol. 43, p. the blind ", approved April 27, 1904 (33 Stat. 313), the supplemental provision in section 1 of the Post Office Appropriation Act for 1913, approved August 24, 1912 (37 Stat. 551), and the joint resolution entitled "Joint resolution to provide for the free transmission through the mails of certain publications for the blind", approved June 7, 1924 (43 Stat. 668; U.S.C., title 39, ch. 8, sec. 331), be, and

the same are hereby, amended to read as follows: "Books, pamphlets, and other reading matter published either in raised characters, whether prepared by hand or printed, or in the form of sound reproduction records for the use of the blind, in packages not exceeding twelve pounds in weight, and containing no advertising or other matter whatever, unsealed, and when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries; magazines, periodicals, and other regularly issued publications in such raised characters, whether prepared by hand or printed, or on sound reproduction records (for the use of the blind), which contain no advertisements and for which no subscription fee is charged, shall be transmitted in the United States mails free of postage and under such regulations as the Postmaster General may

prescribe.

"Volumes of the Holy Scriptures, or any part thereof, published either in raised characters, whether prepared by hand or printed, or in the form of sound reproduction records for the use of the blind, which do not contain advertisements (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof; under such regulations as the Postmaster General may prescribe.

"All letters written in point print or raised characters or on sound ters." reproduction records used by the blind, when unsealed, shall be

transmitted through the mails as third-class matter.'

Approved, May 9, 1934.

[CHAPTER 265.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of the Province of Maryland.

May 9, 1934. [S. 2966.] [Public, No. 215.]

Be it enacted by the Senate and House of Representatives of the oration of the three-hundredth anniversary of the founding of the pieces commemorating Province of Maryland, there shall be coined by the Director of the founding of, author-works twenty-five thousand silver 50-cent pieces of standard. Mint twenty-five thousand silver 50-cent pieces of standard size, weight, and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

Sec. 2. That the coins herein authorized shall be issued at par and only upon the request of the chairman or secretary of the Maryland

Tercentenary Commission.

SEC. 3. Such coins may be disposed of at par or at a premium by said Commission and all proceeds shall be used in furtherance of the

Maryland Tercentenary Commission projects.

Sec. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Approved, May 9, 1934.

Regulations.

Bibles.

Postage rate. Regulations

Transmission of let-

Expenses

Issued at par.

Disposition.

Laws applicable.

[CHAPTER 277.]

AN ACT

May 10, 1934. [H.R. 7835.] [Public, No. 216.]

To provide revenue, equalize taxation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections according to the following Table of Contents, may be cited as the "Revenue Act of 1934":

Table of contents.

TABLE OF CONTENTS

INCOME TAX, P. 683

TITLE I-INCOME TAX

INTRODUCTORY PROVISIONS, P. 683.

SUBTITLE A-INTRODUCTORY PROVISIONS

Sec. 1. Application of title.

Sec. 2. Cross references. Sec. 3. Classification of provisions. Sec. 4. Special classes of taxpayers.

GENERAL PRO-VISIONS, P. 684.

SUBTITLE B-GENERAL PROVISIONS

Rates of tax, p. 684.

PART I-RATES OF TAX

Sec. 11. Normal tax on individuals.

Sec. 12. Surtax on individuals. Sec. 13. Tax on corporations.

Net income computation, p. 686.

PART II-COMPUTATION OF NET INCOME

Sec. 21. Net income.

Sec. 22. Gross income.

Sec. 23. Deductions from gross income.

Sec. 24. Items not deductible. Sec. 25. Credits of individual against net income.

Sec. 26. Credits of corporation against net income.

Credits against tax, p. 693.

PART III-CREDITS AGAINST TAX

Sec. 31. Taxes of foreign countries and possessions of United States. Sec. 32. Taxes withheld at source. Sec. 33. Credit for overpayments.

Accounting, p. 694.

PART IV-ACCOUNTING PERIODS AND METHODS OF ACCOUNTING

Sec. 41. General rule. Sec. 42. Period in which items of gross income included. Sec. 43. Period for which deductions and credits taken.

Sec. 44. Installment basis.

Sec. 45. Allocation of income and deductions.

Sec. 46. Change of accounting period.
Sec. 47. Returns for a period of less than twelve months.

Sec. 48. Definitions.

Returns and payment, p. 697.

PART V-RETURNS AND PAYMENT OF TAX

Sec. 51. Individual returns, Sec. 52. Corporation returns, Sec. 53. Time and place for filing returns.

Sec. 54. Records and special returns.

Sec. 55. Publicity of returns. Sec. 56. Payment of tax.

Sec. 57. Examination of return and determination of tax.

Sec. 58. Additions to tax and penalties.

Sec. 59. Administrative proceedings.

Miscellaneous provisions, p. 699

PART VI-MISCELLANEOUS PROVISIONS

Sec. 61. Laws made applicable.

Sec. 62. Rules and regulations. Sec. 63. Taxes in lieu of taxes under 1932 Act.

Sec. 64. Short title.

SUBTITLE C-SUPPLEMENTAL PROVISIONS

REVENUE ACT OF 1934 SUPPLEMENTAL PROVISIONS, P. 700. SUPPLEMENT A-RATES OF TAX Sec. 101. Exemptions from tax on corporations. Sec. 102. Surtax on corporations improperly accumulating surplus. Sec. 103. Rates of tax on citizens and corporations of certain foreign countries Net income computed, p. 703. SUPPLEMENT B-COMPUTATION OF NET INCOME Sec. 111. Determination of amount of, and recognition of, gain or loss. Sec. 112. Recognition of gain or loss. Sec. 113. Adjusted basis for determining gain or loss. Sec. 114. Basis for depreciation and depletion. Sec. 115. Distributions by corporations. Sec. 116. Exclusions from gross income. Sec. 117. Capital gains and losses. Sec. 118. Loss from wash sales of stock or securities. Sec. 119. Income from sources within United States. Sec. 120. Unlimited deduction for charitable and other contributions. SUPPLEMENT C-CREDITS AGAINST TAX Credits against tax. Sec. 131. Taxes of foreign countries and possessions of United States. Returns and payment, p. 720. SUPPLEMENT D-RETURNS AND PAYMENT OF TAX Sec. 141. Consolidated returns of railroad corporations. Sec. 142. Fiduciary returns. Sec. 143. Withholding of tax at source. Sec. 144. Payment of corporation income tax at source. Sec. 145. Penalties. Sec. 146. Closing by Commissioner of taxable year. Sec. 147. Information at source. Sec. 148. Information by corporations. Sec. 149. Returns of brokers. Sec. 150. Collection of foreign items. SUPPLEMENT E-ESTATES AND TRUSTS Estates and trusts, Sec. 161. Imposition of ta-Sec. 162. Net income. Sec. 163. Credits against net income. Sec. 164. Different taxable years. Sec. 165. Employees' trusts. Sec. 166. Revocable trusts. Sec. 167. Income for benefit of grantor. Sec. 168. Taxes of foreign countries and possessions of United States. Partnerships, p. 730. SUPPLEMENT F-PARTNERSHIPS Sec. 181. Partnership not taxable. Sec. 182. Tax of partners. Sec. 183. Computation of partnership income. Sec. 184. Credits against net income. Sec. 185. Earned income. Sec. 186. Taxes of foreign countries and possessions of United States. Sec. 187. Partnership returns. Sec. 188. Different taxable years of partner and partnership. Insurance compa-SUPPLEMENT G-INSURANCE COMPANIES nies, p. 731. Sec. 201. Tax on life insurance companies. Sec. 202. Gross income of life insurance companies. Sec. 203. Net income of life insurance companies. Sec. 204. Insurance companies other than life or mutual. Sec. 205. Taxes of foreign countries and possessions of United States. Sec. 206. Computation of gross income. Sec. 207. Mutual insurance companies other than life. Nonresident alien in-dividuals, p. 735. SUPPLEMENT H-Nonresident Alien Individuals Sec. 211. Gross income Sec. 212. Deductions. Sec. 213. Credits against net income.

```
REVENUE ACT Sec. 214. Allowance of deductions and credits. Sec. 215. Credits against tax. Sec. 216. Returns.
                            Sec. 217. Payment of tax.
Foreign corporations,
p. 737.
                                                          SUPPLEMENT I-FOREIGN CORPORATIONS
                            Sec. 231. Gross income.
                            Sec. 232. Deductions.
                            Sec. 233. Allowance of deductions and credits.
                            Sec. 234. Credits against tax.
Sec. 235. Returns.
                            Sec. 236. Payment of tax.
Sec. 237. Foreign insurance companies.
                            Sec. 238. Affiliation
 Possessions of the United States, p. 738.
                                                SUPPLEMENT J-Possessions of the United States
                            Sec. 251. Income from sources within possessions of United States.
                            Sec. 252. Citizens of possessions of United States.
China Trade Act corporations, p. 739.
                                                  SUPPLEMENT K-CHINA TRADE ACT CORPORATIONS
                           Sec. 261. Credit against net income.
Sec. 262. Credits against the tax.
Sec. 263. Affiliation.
Sec. 264. Income of shareholders.
                                       SUPPLEMENT L-ASSESSMENT AND COLLECTION OF DEFICIENCIES
  Deficiencies, p. 740.
                           Sec. 271. Definition of deficiency.
                           Sec. 271. Definition of denicity.

Sec. 272. Procedure in general.

Sec. 273. Jeopardy assessments.

Sec. 274. Bankruptcy and receiverships.

Sec. 275. Period of limitation upon assessment and collection.

Sec. 276. Same—Exceptions.
                           Sec. 277. Suspension of running of statute.
Interest and tax additions, p. 746.
                                               SUPPLEMENT M-INTEREST AND ADDITIONS TO THE TAX
                           Sec. 291. Failure to file return.
Sec. 292. Interest on deficiencies.
                           Sec. 293. Additions to the tax in case of deficiency.
Sec. 294. Additions to the tax in case of nonpayment.
Sec. 295. Time extended for payment of tax shown on return.
Sec. 296. Time extended for payment of deficiency.
Sec. 297. Interest in case of jeopardy assessments.
                           Sec. 298. Bankruptcy and receiverships.
Sec. 299. Removal of property or departure from United States.
  Transferees and fidu-
                                      SUPPLEMENT N-CLAIMS AGAINST TRANSFEREES AND FIDUCIARIES
ciaries, p. 748
                           Sec. 311. Transferred assets.
                           Sec. 312. Notice of fiduciary relationship.
  Overpayments, p. 750.
                                                              SUPPLEMENT O-OVERPAYMENTS
                           Sec. 321. Overpayment of installment. Sec. 322. Refunds and credits.
ADDITIONAL
INCOME TAXES.
                                                    TITLE IA—ADDITIONAL INCOME TAXES
                           Sec. 351. Surtax on personal holding companies.
ESTATE TAX
AMENDMENTS, P
                                                  TITLE II—AMENDMENTS TO ESTATE TAX
                           Sec. 401. Revocable trusts.
Sec. 402. Prior taxed property.
                           Sec. 403. Citizenship and residence of decedents.
                           Sec. 404. Real estate situated outside the United States.
                           Sec. 405. Estate tax rates.
Sec. 406. Nondeductibility of certain transfers.
```

REVENUE ACT OF 1934. AMENDMENTS TO PRIOR ACTS AND MISCELLA-NEOUS, P 755. TITLE III—AMENDMENTS TO PRIOR ACTS AND MISCELLANEOUS Sec. 501. Period for petition to board under prior Acts. Sec. 502. Recovery of amounts erroneously refunded. Sec. 503. Statute of limitations on suits for refund. Sec. 504. Overpayments found by the Board of Tax Appeals. Sec. 505. Bankruptcy and receiverships. Sec. 506. Retroactivity of regulations, rulings, etc. Sec. 507. Examination of books and witnesses. Sec. 508. Sale of personal property under distraint. Sec. 509. Discharge of liens. Sec. 510. Jeopardy assessments. Sec. 511. Gifts of property subject to power. Sec. 512. General counsel for the Treasury. Sec. 513. Assistants in the Treasury. Sec. 514. Penalties and awards to informers with respect to illegally produced petroleum. Sec. 515. Postal rates. Sec. 516. Commissioner as party to suit. Sec. 517. Nondeductibility of certain gifts. Sec. 518. Liability of fiduciary. Sec. 519. Venue for appeals from Board of Tax Appeals. Sec. 520. Gift tax rates. EXCISE TAXES, P.762. TITLE IV—Excise Taxes Sec. 601. Termination of soft drink tax. Sec. 602. Tax on certain oils. Sec. 602½. Processing tax on certain oils. Sec. 603. Taxes on lubricating oil and gasoline. Sec. 604. Producers' tax on crude petroleum. Sec. 605. Tax on refining of crude petroleum. Sec. 606. Termination of bank check tax. Sec. 607. Enforcement of liability for taxes collected. Sec. 608. Tax on furs. Sec. 609. Tax on jewelry, etc. Sec. 610. Tax on cigarettes. Sec. 611. Tax on matches. Sec. 612. Stamp tax on sales of produce for future delivery. Sec. 613. Termination of tax on use of boats. Sec. 614. Termination of tax on candy. TITLE V—CAPITAL STOCK AND EXCESS-PROFITS TAXES CAPITAL STOCK ND EXCESS ROFITS TAXES, Sec. 701. Capital-stock tax. Sec. 702. Excess-profits tax. Sec. 703. Capital-stock and excess-profits tax imposed by National Industrial Recovery Act. GENERAL PRO-VISIONS, P. 771. TITLE VI-GENERAL PROVISIONS Sec. 801. Definitions. Sec. 802. Separability clause. Sec. 803. Effective date of Act.

TITLE I—INCOME TAX

INCOME TAX.

SUBTITLE A—INTRODUCTORY PROVISIONS

INTRODUCTO-RY PROVISIONS. Application of title.

SEC. 1. APPLICATION OF TITLE.

To 1934, and succeed-

The provisions of this title shall apply only to taxable years ing years beginning after December 31, 1933. Income, war-profits, and excessprofits taxes for taxable years beginning prior to January 1, 1934, ed. Prior years not affectshall not be affected by the provisions of this title, but shall remain subject to the applicable provisions of prior revenue Acts, except as such provisions are modified by Title III of this Act or by legislation enacted subsequent to this Act.

Exceptions. Post, p. 755. INCOME TAX. Cross references.

SEC. 2. CROSS REFERENCES.

The cross references in this title to other portions of the title, where the word "see" is used, are made only for convenience, and shall be given no legal effect.

Classification of pro- SEC. 3. CLASSIFICATION OF PROVISIONS.

Designations.

The provisions of this title are herein classified and designated as— Subtitle A—Introductory provisions,
Subtitle B—General provisions, divided into Parts and sections,
Subtitle C—Supplemental provisions, divided into Supplements and sections.

payers.

Application of general provisions provisions and of supplements.

Estates and trusts,

Partnerships, p. 730. Insurance companies, p. 731. Nonresident aliens,

p. 735. Foreign corporations,

p. 737.
Citizens of possessions of United States, p. 738.

Citizens deriving large portion of income from U.S. possessions,

China Trade Act corporations, p. 739.

GENERAL PRO-VISIONS. TAX RATES.

Special classes of tax- SEC. 4. SPECIAL CLASSES OF TAXPAYERS.

The application of the General Provisions and of Supplements A to D, inclusive, to each of the following special classes of taxpayers. shall be subject to the exceptions and additional provisions found in the Supplement applicable to such class, as follows:

(a) Estates and trusts and the beneficiaries thereof,—Supple-

ment E.

(b) Members of partnerships,—Supplement F. (c) Insurance companies,—Supplement G.

(d) Nonresident alien individuals,—Supplement H.

(e) Foreign corporations,—Supplement I.

(f) Individual citizens of any possession of the United States who are not otherwise citizens of the United States and who are

not residents of the United States,—Supplement J.

(g) Individual citizens of the United States or domestic corporations, satisfying the conditions of section 251 by reason of deriving a large portion of their gross income from sources within a possession of the United States,—Supplement J.

(h) China Trade Act corporations,—Supplement K.

SUBTITLE B—GENERAL PROVISIONS

Part I-Rates of Tax

Normal tax on in- SEC. 11. NORMAL TAX ON INDIVIDUALS. dividuals.

Rates upon net in-

There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of 4 per centum of the amount of the net income in excess of the credits against net income provided in section 25.

Post, p. 692.

Surtax on individ- SEC. 12. SURTAX ON INDIVIDUALS. uals.

Definition.

(a) Definition of "Surtax Net Income".—As used in this section the term "surtax net income" means the amount of the net income in excess of the credits against net income provided in section

(b) RATES OF SURTAX.—There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual

a surtax as follows:

Upon a surtax net income of \$4,000 there shall be no surtax; upon surtax net incomes in excess of \$4,000 and not in excess of \$6,000, 4 per centum of such excess.

\$80 upon surtax net incomes of \$6,000; and upon surtax net incomes in excess of \$6,000 and not in excess of \$8,000, 5 per centum in addition of such excess.

\$180 upon surtax net incomes of \$8,000; and upon surtax net incomes in excess of \$8,000 and not in excess of \$10,000, 6 per centum in addition of such excess.

Rates.

\$300 upon surtax net incomes of \$10,000; and upon surtax net incomes in excess of \$10,000 and not in excess of \$12,000, 7 per uss—Contd.

Rates—Contd. centum in addition of such excess.

\$440 upon surtax net incomes of \$12,000; and upon surtax net incomes in excess of \$12,000 and not in excess of \$14,000, 8 per centum in addition of such excess.

\$600 upon surtax net incomes of \$14,000; and upon surtax net incomes in excess of \$14,000 and not in excess of \$16,000, 9 per centum in addition of such excess.

\$780 upon surtax net incomes of \$16,000; and upon surtax net incomes in excess of \$16,000 and not in excess of \$18,000, 11 per centum in addition of such excess.

\$1,000 upon surtax net incomes of \$18,000; and upon surtax net incomes in excess of \$18,000 and not in excess of \$20,000, 13 per centum in addition of such excess.

\$1,260 upon surtax net incomes of \$20,000; and upon surtax net incomes in excess of \$20,000 and not in excess of \$22,000, 15 per centum in addition of such excess.

\$1,560 upon surtax net incomes of \$22,000; and upon surtax net incomes in excess of \$22,000 and not in excess of \$26,000, 17 per centum in addition of such excess

\$2,240 upon surtax net incomes of \$26,000; and upon surtax net incomes in excess of \$26,000 and not in excess of \$32,000, 19 per centum in addition of such excess.

\$3,380 upon surtax net incomes of \$32,000; and upon surtax net incomes in excess of \$32,000 and not in excess of \$38,000, 21 per centum in addition of such excess.

\$4,640 upon surtax net incomes of \$38,000; and upon surtax net incomes in excess of \$38,000 and not in excess of \$44,000, 24 per centum in addition of such excess.

\$6,080 upon surtax net incomes of \$44,000; and upon surtax net incomes in excess of \$44,000 and not in excess of \$50,000, 27 per centum in addition of such excess.

\$7,700 upon surtax net incomes of \$50,000; and upon surtax net incomes in excess of \$50,000 and not in excess of \$56,000, 30 per centum in addition of such excess

\$9,500 upon surtax net incomes of \$56,000; and upon surtax net incomes in excess of \$56,000 and not in excess of \$62,000, 33 per centum in addition of such excess.

\$11,480 upon surtax net incomes of \$62,000; and upon surtax net incomes in excess of \$62,000 and not in excess of \$68,000, 36 per centum in addition of such excess.

\$13,640 upon surtax net incomes of \$68,000; and upon surtax net incomes in excess of \$68,000 and not in excess of \$74,000, 39 per centum in addition of such excess.

\$15,980 upon surtax net incomes of \$74,000; and upon surtax net incomes in excess of \$74,000 and not in excess of \$80,000, 42 per centum in addition of such excess.

\$18,500 upon surtax net incomes of \$80,000; and upon surtax net incomes in excess of \$80,000 and not in excess of \$90,000, 45 per centum in addition of such excess.

\$23,000 upon surtax net incomes of \$90,000; and upon surtax net incomes in excess of \$90,000 and not in excess of \$100,000, 50 per centum in addition of such excess.

\$28,000 upon surtax net incomes of \$100,000; and upon surtax net incomes in excess of \$100,000 and not in excess of \$150,000, 52 per centum in addition of such excess.

INCOME TAX.
Surtax on individuals—Contd.
Rates—Contd.

\$54,000 upon surtax net incomes of \$150,000; and upon surtax net incomes in excess of \$150,000 and not in excess of \$200,000, 53 per centum in addition of such excess.

\$80,500 upon surtax net incomes of \$200,000; and upon surtax net incomes in excess of \$200,000 and not in excess of \$300,000,

54 per centum in addition of such excess.

\$134,500 upon surtax net incomes of \$300,000; and upon surtax net incomes in excess of \$300,000 and not in excess of \$400,000, 55 per centum in addition of such excess.

\$189,500 upon surtax net incomes of \$400,000; and upon surtax net incomes in excess of \$400,000 and not in excess of \$500,000, 56 per centum in addition of such excess.

\$245,500 upon surtax net incomes of \$500,000; and upon surtax net incomes in excess of \$500,000 and not in excess of \$750,000, 57 per centum in addition of such excess.

\$388,000 upon surtax net incomes of \$750,000; and upon surtax net incomes in excess of \$750,000 and not in excess of \$1,000,000, 58 per centum in addition of such excess.

\$533,000 upon surtax net incomes of \$1,000,000; and upon surtax net incomes in excess of \$1,000,000, 59 per centum in addition of such excess.

(c) Tax on Personal Holding Companies.—For surtax on personal holding companies, see section 351.

(d) Avoidance of Surtaxes by Incorporation.—For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102.

Exempt corpora-

Post, p. 700.

Personal holding

Evasion by corpora-

Tax on corporations. SEC. 13. TAX ON CORPORATIONS.

Rate.

companies Post, p. 751.

Post, p. 702.

- (a) RATE OF TAX.—There shall be levied, collected, and paid for each taxable year upon the net income of every corporation, a tax of 13% per centum of the amount of the net income in excess of the credit against net income provided in section 26.
- (b) Exempt Corporations.—For corporations exempt from tax, see section 101.
- (c) Tax on Personal Holding Companies.—For surtax on personal holding companies, see section 351.
- Personal holding companies.

 Post, p. 751. (d) Improper Accumulation of Surplus.—For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102.

COMPUTATION OF NET INCOME.

Accumulating surplus to avoid surtax.

Post, p. 702.

Part II—Computation of Net Income

SEC. 21. NET INCOME.

Net income, defined.

"Net income" means the gross income computed under section 22, less the deductions allowed by section 23.

Gross income.

SEC. 22. GROSS INCOME.

General definition.

(a) General Definition.—"Gross income" includes gains, profits, and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever. In the case of Presidents of the United States and judges of courts of the United States taking office after June 6, 1932, the compensation received as such shall be included

Compensation of President, United States judges.

in gross income; and all Acts fixing the compensation of such

Presidents and judges are hereby amended accordingly.

(b) Exclusions from Gross Income.—The following items shall not be included in gross income and shall be exempt from taxation income.

under this title: under this title:

(1) LIFE INSURANCE.—Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest

payments shall be included in gross income);

(2) Annuities, etc.—Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. Amounts received as an annuity Portion to be included in gross income. under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to 3 per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title or prior income tax laws in respect of such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (1) or this paragraph;

(3) GIFTS, BEQUESTS, AND DEVISES.—The value of property acquired by gift, bequest, devise, or inheritance (but the income

from such property shall be included in gross income):

(4) Tax-free interest.—Interest upon (A) the obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or (B) obligations of a corporation organized under Act of Congress, if such corporation is an instrumentalities. tality of the United States; or (C) the obligations of the United etc. States or its possessions. Every person owning any of the obligations enumerated in clause (A), (B), or (C) shall, in the return required by this title, submit a statement showing the in returns number and amount of such obligations owned by him and the income received therefrom, in such form and with such information as the Commissioner may require. In the case of obligations of Fed the United States issued after September 1, 1917 (other than ber 1, 1917. postal savings certificates of deposit) and in the case of obligations of a corporation organized under Act of Congress, the interest shall be exempt only if and to the extent provided in the respective Acts authorizing the issue thereof as amended and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt from the taxes imposed by this title;

(5) Compensation for injuries or sickness.—Amounts received, Payment for personal injuries or sickness. through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or

agreement on account of such injuries or sickness;

INCOME TAX. COMPUTATION OF NET INCOME— Contd.

Life insurance.

Annuities etc

Transfers for value.

Value of gifts, etc.

Tax-free interest. State, etc., bonds. Federal obligations,

Statement required

Federal obligations sued after Septem-

73d CONGRESS. SESS. II. CH. 277. MAY 10, 1934.

INCOME TAX.
COMPUTATION
OF NET INCOME—
Contd.
Minister's dwelling.

Miscellaneous items. Post, p. 712.

mine income.

porations. Post, p. 711.

Post, p. 716.

(6) Ministers.—The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation;

(7) MISCELLANEOUS ITEMS.—The following items, to the extent

provided in section 116:

Earned income from sources without the United States;

Salaries of certain Territorial employees;

The income of foreign governments;

Income of States, municipalities, and other political subdivisions;

Receipts of shipowners' mutual protection and indemnity

associations;

Dividends from China Trade Act corporations.

Inventories, to deter-(c) Inventories.—Whenever in the opinion of the Commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the Commissioner, with the approval of the Secretary, may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

(d) Distributions by Corporations.—Distributions by corporations shall be taxable to the shareholders as provided in section 115.

(e) Determination of Gain or Loss.—In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in section 111.

(f) Gross Income from Sources Within and Without United STATES.—For computation of gross income from sources within and without the United States, see section 119.

Deductions

Distributions by cor-

Determination of gain or loss in sale of property.

Post, p. 703.

Sources within and without United States.

from SEC. 23. DEDUCTIONS FROM GROSS INCOME.

In computing net income there shall be allowed as deductions:

Business expenses.

Traveling included.

(a) Expenses.—All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

Interest on debts. Exceptions.

(b) Interest.—All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly exempt from the taxes imposed by this title.

(c) Taxes Generally.—Taxes paid or accrued within the taxable

year, except-

(1) Federal income, war-profits, and excess-profits taxes;

(2) income, war-profits, and excess-profits taxes imposed by the authority of any foreign country or possession of the United States; but this deduction shall be allowed in the case of a taxpayer who does not signify in his return his desire to have to any extent the benefits of section 131 (relating to credit for taxes of foreign countries and possessions of the United States);

(3) estate, inheritance, legacy, succession, and gift taxes; and

Taxes generally. Exceptions.

(4) taxes assessed against local benefits of a kind tending to increase the value of the property assessed; but this paragraph shall of NET INCOMETAX. not exclude the allowance as a deduction of so much of such taxes

as is properly allocable to maintenance or interest charges.

(d) Taxes of Shareholder Paid by Corporation.—The deduction Taxes of shareholder paid by corporation. for taxes allowed by subsection (c) shall be allowed to a corporation in the case of taxes imposed upon a shareholder of the corporation upon his interest as shareholder which are paid by the corporation without reimbursement from the shareholder, but in such cases no deduction shall be allowed the shareholder for the amount of such

(e) Losses by Individuals.—In the case of an individual, losses sustained during the taxable year and not compensated for by insurance or otherwise

(1) if incurred in trade or business; or

(2) if incurred in any transaction entered into for profit, though rade or business.

not connected with the trade or business; or

(3) of property not connected with the trade or business, if the Casualty losses not loss arises from fires, storms, shipwreck, or other casualty, or ness. from theft. No loss shall be allowed as a deduction under this paragraph if at the time of the filing of the return such loss has poses.

Disallowed, if deduct ed for estate tax purposes. been claimed as a deduction for estate tax purposes in the estate

(f) Losses by Corporations.—In the case of a corporation, losses tons sustained during the taxable year and not compensated for by insur-

(g) Wagering Losses.—Losses from wagering transactions shall be allowed only to the extent of the gains from such transactions.

(h) Basis for Determining Loss.—The basis for determining the amount of deduction for losses sustained, to be allowed under subsection (e) or (f), shall be the adjusted basis provided in section 113(b) for determining the loss from the sale or other disposition of property.

(i) Loss on Wash Sales of Stock or Securities.—For disallowance of loss deduction in the case of sales of stock or securities where etc.

Post, p. 715 within thirty days before or after the date of the sale the taxpayer

has acquired substantially identical property, see section 118.

(j) Capital Losses.—Losses from sales or exchanges of capital assets shall be allowed only to the extent provided in section 117(d).

(k) Bad Debts.—Debts ascertained to be worthless and charged off within the taxable year (or, in the discretion of the Commissioner, a reasonable addition to a reserve for bad debts); and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction.

(1) Depreciation.—A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, including a reasonable allowance for obsolescence. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allo-

(m) Depletion.—In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar con-

Losses by individ-uals.

Business.

Losses by corpora

Wagering losses.

Basis for determining Post, p. 709.

Disallowance of loss in wash sales of stock,

Capital losses. Post, p. 715.

Bad debts.

Exhaustion, etc., of business property.

Life estates.

Property in trust.

Leases.

Life estates.

Property in trust.

Post. p. 710.

Basis for depletion, etc.

Post. p. 710.

Charitable, etc., con-tributions. Gifts.

Public uses.

Religious, scientific, etc., organizations.

Vocational rehabilitation. Vol. 43, p. 611. War veterans' ganizations, etc. or-

Fraternal society.

Limit.

Unlimited

Post. p. 718.

Dividends received by corporations. Domestic.

INCOME TAX. COMPUTATION of NET INCOME— under rules and regulations to be prescribed by the Commissioner, contd. Revision of estimates allowed. Under rules are result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate. In the case of leases the deductions shall be equitably apportioned between the lessor and lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. (For percentage depletion allowable under this subsection, see section

114(b), (3) and (4).)
(n) Basis for Depreciation and Depletion.—The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section

(o) CHARITABLE AND OTHER CONTRIBUTIONS.—In the case of an individual, contributions or gifts made within the taxable year to or for the use of:

(1) the United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(2) a corporation, or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(3) the special fund for vocational rehabilitation authorized

by section 12 of the World War Veterans' Act, 1924;

(4) posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earnings inures to the benefit of any private shareholder or individual; or

(5) a fraternal society, order, or association, operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals;

to an amount which in all the above cases combined does not exceed 15 per centum of the taxpayer's net income as computed without deduce the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary. (For unlimited deduction if contributions and gifts exceed 90 per centum of the net income, see section 120.)

(p) DIVIDENDS RECEIVED BY CORPORATIONS.—In the case of a corporation, the amount received as dividends from a domestic corporation which is subject to taxation under this title. The deduction allowed by this subsection shall not be allowed in respect of COMPUTATION dividends received from a corporation organized under the China of NET INCOME—Trade Act. 1922, or from a corporation which under section 251 is Contd. Trade Act, 1922, or from a corporation which under section 251 is taxable only on its gross income from sources within the United corporation. States by reason of its receiving a large percentage of its gross vol 42, p. 849 Post, p. 738. income from sources within a possession of the United States.

(q) Pension Trusts.—An employer establishing or maintaining a pension trust to provide for the payment of reasonable pensions to his employees (if such trust is exempt from tax under section 165, relating to trusts created for the exclusive benefit of employees) shall be allowed as a deduction (in addition to the contributions to such trust during the taxable year to cover the pension liability accruing during the year, allowed as a deduction under subsection (a) of this section) a reasonable amount transferred or paid into such trust during the taxable year in excess of such contributions. but only if such amount (1) has not theretofore been allowable as a deduction, and (2) is apportioned in equal parts over a period of ten consecutive years beginning with the year in which the transfer or payment is made. Any deduction allowable under Allowance under presection 23 (q) of the Revenue Act of 1928 or the Revenue Act of vious laws. Vol. 45, p. 802; Vol. 1932 which under such section was apportioned to any taxable year 47, p. 182. beginning after December 31, 1933, shall be allowed as a deduction in the years to which so apportioned to the extent allowable under such section if it had remained in force with respect to such year.

Maintenance of pen-sion trusts.

Post, p. 729.

SEC. 24. ITEMS NOT DEDUCTIBLE.

(a) GENERAL RULE.—In computing net income no deduction shall Items not deductible. in any case be allowed in respect of-

(1) Personal, living, or family expenses;

(2) Any amount paid out for new buildings or for permanent Property improveimprovements or betterments made to increase the value of any ments property or estate;

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has

(4) Premiums paid on any life insurance policy covering the Life insurance premiums for employees. life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy;

is allocable to one or more classes of income other than interest to tax-exempt incomes. (5) Any amount otherwise allowable as a deduction which (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed

by this_title; or

(6) Loss from sales or exchanges of property, directly or indirectly, (A) between members of a family, or (B) except in the case of distributions in liquidation, between an individual and Shareholder and correction.

Shareholder and correction. a corporation in which such individual owns, directly or indirectly, poration. more than 50 per centum in value of the outstanding stock. For the purpose of this paragraph—(C) an individual shall be considered as owning the stock owned, directly or indirectly, by his family; and (D) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

(b) Holders of Life or Terminable Interest.—Amounts paid terminable interest under the laws of any State, Territory, District of Columbia, possession of the United States, or foreign country as income to the etc.

Holders of life or terminable interest.

Deductions on income acquired by gift, holder of a life or terminable interest acquired by gift, bequest, or

Personal, etc., ex-

Restoring property.

Ante, p. 689.

INCOME TAX. inheritance shall not be reduced or diminished by any deduction OF NET INCOME— for shrinkage (by whatever name called) in the value of contd. interest due to the lapse of time, nor by any deduction allowed by this Act (except the deductions provided for in subsections (1) and (m) of section 23) for the purpose of computing the net income of an estate or trust but not allowed under the laws of such State, Territory, District of Columbia, possession of the United States, or foreign country for the purpose of computing the income to which such holder is entitled.

Tax-free covenant bonds. Post, p. 723.

(c) TAX WITHHELD ON TAX-FREE COVENANT BONDS.—For nondeductibility of tax withheld on tax-free covenant bonds, see section 143 (a) (3).

Normal tax only.

Dividends from domestic corporations subject to tax herein.

China Trade Act corporations, etc., ex-cepted. Post, p. 738.

Interest on Federal securities.

Ante, p. 686.

Interest on obliga-tions of Federal in-strumentalities.

Ante, p. 686.

Earned income credit.

Earned income definitions.

"Earned income."

Credits allowed in SEC. 25. CREDITS OF INDIVIDUAL AGAINST NET INCOME. dividuals.

(a) CREDITS FOR NORMAL TAX ONLY.—There shall be allowed for the purpose of the normal tax, but not for the surtax, the following

credits against the net income:

(1) DIVIDENDS.—The amount received as dividends from a domestic corporation which is subject to taxation under this title. The credit allowed by this paragraph shall not be allowed in respect of dividends received from a corporation organized under the China Trade Act, 1922, or from a corporation which under section 251 is taxable only on its gross income from sources within the United States by reason of its receiving a large percentage of its gross income from sources within a possession of the United States.

(2) Interest on United States obligations.—The amount received as interest upon obligations of the United States which

is included in gross income under section 22.

(3) Interest on obligations of instrumentalities of the UNITED STATES.—The amount received as interest on obligations of a corporation organized under Act of Congress, if (A) such corporation is an instrumentality of the United States; and (B) such interest is included in gross income under section 22; and (C) under the Act authorizing the issue thereof, as amended and supplemented, such interest is exempt from normal tax.

(4) EARNED INCOME CREDIT.—10 per centum of the amount of the earned net income, but not in excess of 10 per centum of the

amount of the net income.

(5) EARNED INCOME DEFINITIONS.—For the purposes of this section-

(A) "Earned income" means wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, but does not include any amount not included in gross income, nor that part of the compensation derived by the taxpayer for personal services rendered by him to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income producing factors, a reasonable allowance as compensation for the personal services actually rendered by the taxpayer, not in excess of 20 per centum of his share of the net profits of such trade or business,

shall be considered as earned income.

(B) "Earned income deductions" means such deductions as are allowed by section 23 for the purpose of computing net income, and are properly allocable to or chargeable against

earned income.

"Earned income de-

(C) "Earned net income" means the excess of the amount of COMPUTATION the earned income over the sum of the earned income deductions. If the taxpayer's net income is not more than \$3,000, Contd. or Earned net income shall be considered to be earned net come."

If the taxpayer's net income is not more than \$3,000, Contd. or Earned net income, and if his net income is more than \$3,000, his earned net income shall not be considered to the later than the control of the control net income shall not be considered to be less than \$3,000. In no case shall the earned net income be considered to be more than \$14,000.

(b) CREDITS FOR BOTH NORMAL TAX AND SURTAX.—There shall be Credits for both normal tax and surtax allowed for the purposes of the normal tax and the surtax the following credits against net income:

(1) Personal exemption.—In the case of a single person, a personal exemption of \$1,000; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of \$2,500. A husband and wife living together shall receive but one personal exemption. The amount of such personal living together exemption shall be \$2,500. If such husband and wife make separate returns, the personal exemption may be taken by either or

Personal exemption. Single person.

divided between them. (2) CREDIT FOR DEPENDENTS.—\$400 for each person (other than Credit for dependently dependently) dependently depend husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically

Husband and wife

Separate returns.

defective. (3) Change of status.—If the status of the taxpayer, insofar Change of status of the taxpayer, insofar during taxable year. as it affects the personal exemption or credit for dependents, changes during the taxable year, the personal exemption and credit shall be apportioned, under rules and regulations prescribed by the Commissioner with the approval of the Secretary, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

Apportionment.

SEC. 26. CREDITS OF CORPORATION AGAINST NET INCOME.

Credits allowed corporations.

For the purpose only of the tax imposed by section 13 there shall states securities.

allowed as a credit against net income the amount received as Ante, p. 692. be allowed as a credit against net income the amount received as interest upon obligations of the United States or of corporations organized under Act of Congress which is allowed to an individual as a credit for purposes of normal tax by section 25 (a) (2) or (3).

Part III—Credits Against Tax

CREDITS AGAINST TAX.

SEC. 31. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Taxes of foreign countries and U.S. possessions. Extent of credit for.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as a credit against the tax, to the extent provided in section 131.

Post, p. 718

SEC. 32. TAXES WITHHELD AT SOURCE.

The amount of tax withheld at the source under section 143 shall Taxes with source. Post, p. 723 be allowed as a credit against the tax.

Taxes withheld at

SEC. 33. CREDIT FOR OVERPAYMENTS.

For credit against the tax of overpayments of taxes imposed by this title for other taxable years, see section 322.

Overpayments Post, p. 750.

INCOME TAX. ACCOUNTING PERIODS AND METHODS.

General rule.

Net income on basis of annual accounting period.

than fiscal year Post, p. 696.

Inventories, p. 688.

Gross income.

Items for taxable year in which received.

Portion, in case of

For taxable year in which "paid or accrued" or "paid or incurred."

Installment basis.

Dealers in personal property

Sales of realty and casual sales of personalty.

Part IV—Accounting Periods and Methods of Accounting

SEC. 41. GENERAL RULE.

The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the If accounting is other Commissioner does clearly reflect the income-If the taxpayer's annual accounting period is other than a fiscal year as defined in section 48 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. (For use of inventories, see section 22 (c).)

SEC. 42. PERIOD IN WHICH ITEMS OF GROSS INCOME INCLUDED.

The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under section 41, any such amounts are to be properly accounted for as of a different period. In the case of the death of a taxpayer there shall be included in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includible in respect of such period or a prior period.

Deductions and cred- SEC. 43. PERIOD FOR WHICH DEDUCTIONS AND CREDITS TAKEN.

The deductions and credits provided for in this title shall be taken for the taxable year in which "paid or accrued" or "paid or incurred", dependent upon the method of accounting upon the basis of which the net income is computed, unless in order to clearly reflect the income the deductions or credits should be taken as of a different Allowance on death period. In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly allowable in respect of such period or a prior period.

SEC. 44. INSTALLMENT BASIS.

(a) Dealers in Personal Property.—Under regulations prescribed by the Commissioner with the approval of the Secretary, a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

(b) SALES OF REALTY AND CASUAL SALES OF PERSONALTY.—In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding \$1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 30 per centum of the selling price (or, in case the sale or other disposition was in a taxable year beginning prior to January 1, 1934, the percentage of the selling price prescribed in the law applicable to such year), the income may, under regulations prescribed by the Commissioner with the approval of the Secretary, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means INCOME TAX.

ACCOUNTING
ACCOUNTING
THE PAYMENT AND AND INITIAL PROPERTIONS AND INITIAL PROPERTIES AN indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) Change from Accrual to Installment Basis.—If a taxpayer Computation on entitled to the benefits of subsection (a) elects for any taxable year basis. to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be

excluded.

such payment.

(d) Gain or Loss upon Disposition of Installment Obligation of installment.—If an installment obligation is satisfied at other than its face ment obligations. value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. This subsection shall not apply to the transmission at death death of installment of installment obligations if there is filed with the Commissioner, at obligations. such time as he may by regulation prescribe, a bond in such amount and with such sureties as he may deem necessary, conditioned upon

the return as income, by the person receiving any payment on such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received

SEC. 45. ALLOCATION OF INCOME AND DEDUCTIONS.

In any case of two or more organizations, trades, or businesses interests control two or (whether or not incorporated, whether or not organized in the more businesse United States, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the Commissioner is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if he determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any of such organizations, trades, or busi-

Allocation of income and deductions.

Provisions, if same

SEC. 46. CHANGE OF ACCOUNTING PERIOD.

EC. 46. CHANGE OF ACCOUNTING PERIOD.

If a taxpayer changes his accounting period from fiscal year to Not income computed on basis of new puted on basis o calendar year, from calendar year to fiscal year, or from one fiscal period. year to another, the net income shall, with the approval of the Commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 47.

SEC. 47. RETURNS FOR A PERIOD OF LESS THAN TWELVE MONTHS. a year.

(a) RETURNS FOR SHORT PERIOD RESULTING FROM CHANGE OF when accounting Accounting Period.—If a taxpayer, with the approval of the Com-riod changes. missioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made

Returns for less than

Basis of computing

INCOME TAX.
ACCOUNTING
PERIODS AND
METHODS—Contd.

and the following December 31. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

Computation on basis of short period; where separate return made.

(b) INCOME COMPUTED ON BASIS OF SHORT PERIOD.—Where a separate return is made under subsection (a) on account of a change in the accounting period, and in all other cases where a separate return is required or permitted, by regulations prescribed by the Commissioner with the approval of the Secretary, to be made for a fractional part of a year, then the income shall be computed on the basis of the period for which separate return is made.

Income placed on annual basis.

(c) INCOME PLACED ON ANNUAL BASIS.—If a separate return is made under subsection (a) on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which the separate The tax shall be such part of the tax computed return is made. on such annual basis as the number of months in such period is of twelve months.

Computing earned

(d) EARNED INCOME.—The Commissioner with the approval of the Secretary shall by regulations prescribe the method of applying the provisions of subsections (b) and (c) (relating to computing income on the basis of a short period, and placing such income on an annual basis) to cases where the taxpayer makes a separate return under subsection (a) on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received earned income.

Reduction of per-sonal credits for frac-tions of a year.

(e) REDUCTION OF CREDITS AGAINST NET INCOME.—In the case of a return made for a fractional part of a year, except a return made under subsection (a), on account of a change in the accounting period, the personal exemption and credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which return is made bears to twelve months.

Taxable year in case of jeopardy, Post, p. 725.

(f) CLOSING OF TAXABLE YEAR IN CASE OF JEOPARDY.—For closing of taxable year in case of jeopardy, see section 146.

Definitions.

SEC. 48. DEFINITIONS.

Taxable year.

When used in this title-(a) Taxable Year.—"Taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this Part. year" includes, in the case of a return made for a fractional part of a year under the provisions of this title or under regulations prescribed by the Commissioner with the approval of the Secretary, the

Fiscal year.

period for which such return is made.

(b) Fiscal Year.—"Fiscal year" means an accounting period of twelve months ending on the last day of any month other than December.

"Paid or incurred' and "paid or accrued."

(c) PAID, INCURRED, ACCRUED.—The terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this Part.

Trade or business.

(d) TRADE OR BUSINESS.—The term "trade or business" includes the performance of the functions of a public office.

Part V-Returns and Payment of Tax

SEC. 51. INDIVIDUAL RETURNS.

(a) REQUIREMENT.—The following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this title-

(1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with

husband or wife;

(2) Every individual having a net income for the taxable year of \$2,500 or over, if married and living with husband or wife; and living with husband or

(3) Every individual having a gross income for the taxable Gross income \$5,000 year of \$5,000 or over, regardless of the amount of his net income. or over.

(b) Husband and Wife.—If a husband and wife living together Husband and wife have an aggregate net income for the taxable year of \$2,500 or over, or an aggregate gross income for such year of \$5,000 or over—

(1) Each shall make such a return, or

(2) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

(c) Persons Under Disability.—If the taxpayer is unable to make Persons under disability. his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

(d) FIDUCIARIES.—For returns to be made by fiduciaries, see

section 142.

SEC. 52. CORPORATION RETURNS.

Every corporation subject to taxation under this title shall make making. Requirement for a return, stating specifically the items of its gross income and the deductions and credits allowed by this title. The return shall be sworn to by the president, vice president, or other principal officer and by the treasurer, assistant treasurer, or chief accounting officer. In cases where receivers, trustees in bankruptcy, or assignees are etc. operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

SEC. 53. TIME AND PLACE FOR FILING RETURNS.

(a) TIME FOR FILING.—

(1) GENERAL RULE.—Returns made on the basis of the calendar year shall be made on or before the 15th day of March following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the 15th day of the third month following the close of the fiscal year.

(2) Extension of time.—The Commissioner may grant a reasonable extension of time for filing returns, under such rules and regulations as he shall prescribe with the approval of the Secretary. Except in the case of taxpayers who are abroad, no such

extension shall be for more than six months.

(b) To Whom Return Made.

(1) Individuals.—Returns (other than corporation returns) shall be made to the collector for the district in which is located the legal residence or principal place of business of the person making the return, or, if he has no legal residence or principal

INCOME TAX RETURNS AN PAYMENT. Individual returns.

Requirement.

Net income \$1,000 or over, if single, etc.

Net income \$2,500 or ver. if married and

Separate return. Joint.

By agent

Fiduciaries. Post, p. 722.

Corporation returns.

Tax collection.

Filing returns.

Time designated.

Extension permitted.

Limitation.

To whom made. Individuals.

INCOME TAX.
RETURNS AND
PAYMENT—Contd. Corporations.

place of business in the United States, then to the collector at

Baltimore, Maryland.

(2) Corporations.—Returns of corporations shall be made to the collector of the district in which is located the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in the United States, then to the collector at Baltimore, Maryland.

Records and special SEC. 54. RECORDS AND SPECIAL RETURNS.

Required of taxpayer.

(a) By Taxpayer.—Every person liable to any tax imposed by this title or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Commissioner, with the approval of the Secretary, may from time to time prescribe.

Statement to determine liability to tax.

(b) To Determine Liability to Tax.—Whenever in the judgment of the Commissioner necessary he may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records, as the Commissioner deems sufficient to show whether or not such person is liable to tax under this title.

Information at source. Post, p. 726.

(c) Information at the Source.—For requirement of statements and returns by one person to assist in determining the tax liability of another person, see sections 147 to 150.

Publicity of returns.

SEC. 55. PUBLICITY OF RETURNS.

Vol. 44, p. 51. Returns to constitute public records.

(a) Returns made under this title shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under Title II of the Revenue Act of 1926; and all returns made under this Act shall constitute public records and shall be open to public examination and inspection to such extent as shall be authorized in rules

Items to be covered.

and regulations promulgated by the President.

(b) Every person required to file an income return shall file with his return, upon a form prescribed by the Commissioner, a correct statement of the following items shown upon the return: (1) name and address, (2) total gross income, (3) total deductions, (4) net income, (5) total credits against net income for purposes of normal tax, and (6) tax payable. In case of any failure to file with the return the statement required by this subsection, the collector shall prepare it from the return, and \$5 shall be added to the tax. The amount so added to the tax shall be collected at the same time and in the same manner as amounts added under section 291. statements or copies thereof shall as soon as practicable be made available to public examination and inspection in such manner as the Commissioner, with the approval of the Secretary, may determine, in the office of the collector with which they are filed, for a period of not less than three years from the date they are required to be filed.

Payment of tax.

SEC. 56. PAYMENT OF TAX.

Time designated.

(a) TIME OF PAYMENT.—The total amount of tax imposed by this title shall be paid on the fifteenth day of March following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the third month following the close of the fiscal year.

Allowed, in four installments.

(b) Installment Payments.—The taxpayer may elect to pay the tax in four equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day INCOME TAX. of the sixth month, and the fourth installment on the fifteenth day PAYMENT-Contd. of the ninth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the collector.

Whole amount, on default.

(c) Extension of Time for Payment.—At the request of the taxpayer, the Commissioner may extend the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof. In Payment on expirasuch case the amount in respect of which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

Extending time upon

(d) Voluntary Advance Payment.—A tax imposed by this title, payment. or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

(e) Advance Payment in Case of Jeopardy.—For advance payment in case of jeopardy, see section 146.

Jeopardy payment. Post, p. 725

(f) Tax Withheld at Source.—For requirement of withholding tax at the source in the case of nonresident aliens and foreign corporations, and in the case of so-called "tax-free covenant bonds" see sections 143 and 144.

Tax withheld at Post, p. 723.

(g) Fractional Parts of Cent.—In the payment of any tax under this title a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Fractions of cent dis-

(h) Receipts.—Every collector to whom any payment of any income tax is made shall upon request give to the person making such payment a full written or printed receipt therefor.

Receipt on request

SEC. 57. EXAMINATION OF RETURN AND DETERMINATION OF TAX. Return and determination of tax.

As soon as practicable after the return is filed the Commissioner shall examine it and shall determine the correct amount of the tax.

Examination of.

SEC. 58. ADDITIONS TO TAX AND PENALTIES.

Additions to tax and Negligence, etc. Post, p 746.

(a) For additions to the tax in case of negligence or fraud in the nonpayment of tax or failure to file return therefor, see Supplement M.

(b) For criminal penalties for nonpayment of tax or failure to Criminal penalties, file return therefor, see section 145.

SEC. 59. ADMINISTRATIVE PROCEEDINGS.

Administrative proceedings.

For administrative proceedings in respect of the nonpayment or overpayment of a tax imposed by this title, see as follows:

Nonpayments, or overpayments.

(a) Supplement L, relating to assessment and collection of deficiencies.

Deficiencies, p. 740.

(b) Supplement M, relating to interest and additions to tax. (c) Supplement N, relating to claims against transferees and fiduciaries.

Interest and additions, p. 746.
Transferees and fiduciaries, p. 748.
Overpayments, p.750.

(d) Supplement O, relating to overpayments.

Part VI—Miscellaneous Provisions

MISCELLANE OUS PROVISIONS

SEC. 61. LAWS MADE APPLICABLE.

Laws made applicable.

All administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes, so far as applicable, are hereby extended to and made a part of this title.

Administrative, etc. provisions extended to.

INCOME TAX.
MISCELLANEOUSPROVISIONS—
Contd.
Rules and regula-Rules and regula-tions to be prescribed.

SEC. 62. RULES AND REGULATIONS.

The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title.

Taxes in lieu of 1932 SEC. 63. TAXES IN LIEU OF TAXES UNDER 1932 ACT.

The taxes imposed by this title shall be in lieu of the corresponding taxes imposed by the Revenue Act of 1932.

Short title.

SEC. 64. SHORT TITLE.

"Income Tax Act of 1934."

This title may be cited as the "Income Tax Act of 1934."

SUPPLEMENTAL PROVISIONS.

SUBTITLE C—SUPPLEMENTAL PROVISIONS

RATES OF TAX.

Supplement A-Rates of Tax

[Supplementary to Subtitle B, Part I]

Exemptions from tax SEC. 101. EXEMPTIONS FROM TAX ON CORPORATIONS.

The following organizations shall be exempt from taxation under this title-

Labor, agricultural, etc. Mutual savings

(1) Labor, agricultural, or horticultural organizations;

banks.

(2) Mutual savings banks not having a capital stock represented by shares;

Fraternal beneficiary societies, etc.

(3) Fraternal beneficiary societies, orders, or associations, (A) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; and (B) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

Domestic building and loan associations.

(4) Domestic building and loan associations substantially all the business of which is confined to making loans to members; and cooperative banks without capital stock organized and operated for mutual purposes and without profit;

Mutual cemetery

(5) Cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Corporations, community chests, religious foundations, etc.

(6) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

Business leagues, etc.

(7) Business leagues, chambers of commerce, real-estate boards, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Civic leagues, employees' associations, etc

(8) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes;

recreation, and other nonprofitable purposes, no part of the net Contd. earnings of which inures to the benefit of any principal.

(10) Benevolent life insurance associations of a purely local mutual ditch, etc. character, mutual ditch or irrigation companies, mutual or cooper- companies. ative telephone companies, or like organizations; but only if 85 per centum or more of the income consists of amounts collected from members for the sole purpose of meeting losses and expenses;

(11) Farmers' or other mutual hail, cyclone, casualty, or fire casualty insurance insurance companies or associations (including interinsurers and companies. reciprocal underwriters) the income of which is used or held for

the purpose of paying losses or expenses;

(12) Farmers', fruit growers', or like associations organized associations and operated on a cooperative basis (a) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them, or (b) for the purpose of purchasing supplies and equipment for the use of members or other persons, and turning over such supplies and equipment to them at actual cost, plus necessary expenses. Exemption shall not be denied any such association because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 per centum per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends) is owned by producers who market their products or purchase their supplies and equipment through the association; nor shall exemption be denied any such association because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose. Such an of nonmembers and association may market the products of nonmembers in an amount making purchases for. the value of which does not exceed the value of the products marketed for members, and may purchase supplies and equipment for nonmembers in an amount the value of which does not exceed the value of the supplies and equipment purchased for members, provided the value of the purchases made for persons who are neither members nor producers does not exceed 15 per centum of the value of all its purchases. Business done for the United regarded. States or any of its agencies shall be disregarded in determining the right to exemption under this paragraph;

(13) Corporations organized by an association exempt under financing crop operations the provisions of paragraph (12), or members thereof, for the tions of members. purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. Exemption shall not be denied any such corporation because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 per centum per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the corporation, upon dissolution or otherwise, beyond the fixed dividends) is owned by such association, or members thereof; nor shall exemption be

Limit.

IN COME TAX.
RATES OF TAX— Contd.

Corporations as trustees for exempted organizations.

Corporations if instrumentalities of United States.

Voluntary employ-ees' beneficiary associa-tions.

Local teachers' re-tirement fund associa-

denied any such corporation because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose;

(14) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title;

(15) Corporations organized under Act of Congress, if such corporations are instrumentalities of the United States and if, under such Act, as amended and supplemented, such corporations are exempt from Federal income taxes;

(16) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (A) no part of their net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (B) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

(17) Teachers' retirement fund associations of a purely local character, if (A) no part of their net earnings inures (other than through payment of retirement benefits) to the benefit of any private shareholder or individual, and (B) the income consists solely of amounts received from public taxation, amounts received from assessments upon the teaching salaries of members.

and income in respect of investments.

Tax imposed.

Post, p. 751.

Surtax on corporations improperly secutions improperly secutions surplus.

SEC. 102. SURTAX ON CORPORATIONS IMPROPERLY ACCUMULATING SURPLUS.

(a) Imposition of Tax.—There shall be levied, collected, and paid for each taxable year upon the adjusted net income of every corporation (other than a personal holding company as defined in section 351) if such corporation, however created or organized, is formed or availed of for the purpose of preventing the imposition of the surtax upon its shareholders or the shareholders of any other corporation, through the medium of permitting gains and profits to accumulate instead of being divided or distributed, a surtax equal to the sum of the following:

(1) 25 per centum of the amount of the adjusted net income

not in excess of \$100,000, plus
(2) 35 per centum of the amount of the adjusted net income

in excess of \$100,000.

(b) PRIMA FACTE EVIDENCE.—The fact that any corporation is a mere holding or investment company, or that the gains or profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a purpose to avoid surtax.

(c) Definition of "Adjusted Net Income".—As used in this section, the term "adjusted net income" means the net income computed without the allowance of the dividend deduction otherwise allowable, but diminished by the amount of dividends paid during

Surtax on pro rata the taxable year.

(d) PAYMENT OF SURTAX ON PRO RATA SHARES.—The tax imposed by this section shall not apply if all the shareholders of the corporation include (at the time of filing their returns) in their gross income their entire pro rata shares, whether distributed or not, of the "adjusted net income" of the corporation for such year. Any amount so included in the gross income of a shareholder shall be

Surtay rates.

Evidence of purpose of evasion.

Definition of "ad-justed net income."

shares.

treated as a dividend received. Any subsequent distribution made by the corporation out of earnings or profits for such taxable year contd. shall, if distributed to any shareholder who has so included in his tion. gross income his pro rata share, be exempt from tax in the amount of the share so included.

(e) Tax on Personal Holding Companies.—For surtax on Companies of the comp personal holding companies, see section 351.

Subsequent distribu-

Ante. p. 684.

Limitation. Post, pp, 731, 733.

SEC. 103. RATES OF TAX ON CITIZENS AND CORPORATIONS OF Discriminatory or except traterritorial taxes.

Whenever the President finds that, under the laws of any foreign are subjected by foreign country, citizens or corporations of the United States are being countries to. subjected to discriminatory or extraterritorial taxes, the President shall so proclaim and the rates of tax imposed by sections 11, 12, 13, 201(b), and 204(a) snall, for the taxable year during which such proclamation is made and for each taxable year thereafter, be doubled in the case of each citizen and corporation of such foreign country; but the tax at such doubled rate shall be considered as imposed by section 11, 12, 13, 201(b), or 204(a), as the case may be. In no case shall this section operate to increase the taxes imposed by such sections (computed without regard to this section) to an amount in excess of 80 per centum of the net income of the taxpayer. Whenever the President finds that the laws of when foreign laws any foreign country with respect to which the President has made a proclamation under the preceding provisions of this section have been modified so that discriminatory and extraterritorial taxes applicable to citizens and corporations of the United States have been removed, he shall so proclaim, and the provisions of this section providing for doubled rates of tax shall not apply to any citizen or corporation of such foreign country with respect to any taxable year beginning after such proclamation is made.

Supplement B—Computation of Net Income

COMPUTATION OF NET INCOME.

[Supplementary to Subtitle B, Part II]

SEC. 111. DETERMINATION OF AMOUNT OF, AND RECOGNITION OF, GAIN OR LOSS.

Gain or loss.

(a) Computation of Gain or Loss.—The gain from the sale or Basis for determining, on disposal of other disposition of property shall be the excess of the amount property.

Post, p. 709. realized therefrom over the adjusted basis provided in section 113(b) for determining gain, and the loss shall be the excess of the adjusted basis provided in such section for determining loss over the amount

Adjusted basis.

(b) Amount Realized.—The amount realized from the sale or Computation of sums other disposition of property shall be the sum of any money received property. plus the fair market value of the property (other than money) received.

(c) RECOGNITION OF GAIN OR LOSS.—In the case of a sale or Recognition of gain exchange, the extent to which the gain or loss determined under this section shall be recognized for the purposes of this title, shall be

determined under the provisions of section 112.

(d) Installment Sales.—Nothing in this section shall be con- able. Installment sales tax strued to prevent (in the case of property sold under contract providing for payment in installments) the taxation of that portion of any installment payment representing gain or profit in the year in which such payment is received.

INCOME TAX.
COMPUTATION
OF NET INCOME—
Contd.

Exceptions.

No gain or loss on ex-changing for similar

Stock for stock of same corporation.

Stock for stock on reorganization.

Property for stock of party tion. to reorganiza-

Transfers for stock corporation under same control.

Limitation.

Gain from exchanges not solely in kind. Recognition of.

Reorganization distribution construed as a taxable dividend.

Accumulations after February 1913.

Tax on gain from property exchange.

Gain of corporation.

SEC. 112. RECOGNITION OF GAIN OR LOSS.

(a) GENERAL RULE.—Upon the sale or exchange of property the Entire amount recog- entire amount of the gain or loss, determined under section 111, shall be recognized, except as hereinafter provided in this section.

(b) Exchanges Solely in Kind.-

(1) Property held for productive use or investment.—No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale, nor stocks, bonds, notes, choses in action, certificates of trust or beneficial interest, or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment.

(2) Stock for stock of same corporation.—No gain or loss shall be recognized if common stock in a corporation is exchanged solely for common stock in the same corporation, or if preferred stock in a corporation is exchanged solely for preferred stock in the same

corporation.

(3) STOCK FOR STOCK ON REORGANIZATION.—No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are, in pursuance of the plan of reorganization, exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization.

(4) Same—Gain of corporation.—No gain or loss shall be recognized if a corporation a party to a reorganization exchanges property, in pursuance of the plan of reorganization, solely for stock or securities in another corporation a party to the reorgani-

(5) Transfer to corporation controlled by transferor.—No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation, and immediately after the exchange such person or persons are in control of the corporation; but in the case of an exchange by two or more persons this paragraph shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange.

(c) GAIN FROM EXCHANGES NOT SOLELY IN KIND.—

(1) If an exchange would be within the provisions of subsection (b) (1), (2), (3), or (5) of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such paragraph to be received without the recognition of gain, but also of other property or money, then the gain, if any, to the recipient shall be recognized, but in an amount not in excess of the sum of such money and the fair market value of such other property.

(2) If a distribution made in pursuance of a plan of reorganization is within the provisions of paragraph (1) of this subsection but has the effect of the distribution of a taxable dividend, then there shall be taxed as a dividend to each distributee such an amount of the gain recognized under paragraph (1) as is not in excess of his ratable share of the undistributed earnings and profits of the corporation accumulated after February 28, 1913. remainder, if any, of the gain recognized under paragraph (1) shall be taxed as a gain from the exchange of property.

(d) Same—Gain of Corporation.—If an exchange would be within the provisions of subsection (b) (4) of this section if it were not for the fact that the property received in exchange consists not only of stock or securities permitted by such paragraph to be received Without the recognition of gain, but also of other property or money, OF NET INCOME—then

(1) If the corporation receiving such other property or money on reorganization. distributes it in pursuance of the plan of reorganization, no gain to the corporation shall be recognized from the exchange, but

(2) If the corporation receiving such other property or money does not distribute it in pursuance of the plan of reorganization, the gain, if any, to the corporation shall be recognized, but in an amount not in excess of the sum of such money and the fair market value of such other property so received, which is not so distributed.

(e) Loss from Exchanges Not Solely in Kind.—If an exchange not solely in kind. would be within the provisions of subsection (b) (1) to (5), inclusive. of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such paragraph to be received without the recognition of gain or loss, but also of other property or money, then no loss from the

exchange shall be recognized.

(f) INVOLUNTARY CONVERSIONS.—If property (as a result of its destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation, or the threat or imminuolate on the converted into proposition or condemnation, or the threat or imminuolate on the converted into proposition into similar property, erty similar or related in service or use to the property so converted, or into money which is forthwith in good faith, under regulations prescribed by the Commissioner with the approval of the Secretary, expended in the acquisition of other property similar or related in service or use to the property so converted, or in the acquisition of control of a corporation owning such other property, or in the establishment of a replacement fund, no gain or loss shall be recogpart not used.

Gain recognized on part not used. nized. If any part of the money is not so expended, the gain, if any, shall be recognized, but in an amount not in excess of the money which is not so expended.

(g) Definition of Reorganization.—As used in this section and

section 113-

(1) The term "reorganization" means (A) a statutory merger or consolidation, or (B) the acquisition by one corporation in exchange solely for all or a part of its voting stock: of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of another corporation; or of substantially all the properties of another corporation, or (C) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred, or (D) a recapitalization, or (E) a mere change in identity, form, or place of organization, however effected.

(2) The term "a party to a reorganization" includes a corpora- "Party to a reorganization" tion resulting from a reorganization and includes both corporations in the case of a reorganization resulting from the acquisition by

one corporation of stock or properties of another.

(h) Definition of Control.—As used in this section the term "control" means the ownership of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of the corporation.

(i) Foreign Corporations.—In determining the extent to which gain shall be recognized in the case of any of the exchanges (made purpose is to evade after the date of the enactment of this Act) described in subsection rederal income taxes. (b) (3), (4), or (5), or described in so much of subsection (c) as

Gain recognized.

Involuntary conversions.

Reorganization.

Definition of.

" Control defined.

Foreign corporations.

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INCOME TAX.
COMPUTATION
OF NET INCOME—
a foreign corporation shall not be considered as a corporation unless,
Cont.

Only to such exchange it has been established to the satisfaction prior to such exchange, it has been established to the satisfaction of the Commissioner that such exchange is not in pursuance of a plan having as one of its principal purposes the avoidance of Federal income taxes.

Basis for determining gain or loss.

Cost value; excep-

Inventory value.

Gifts after December

Determination.

Fair market value.

Trust property acquired after December 1920.

As in hands of grantor.

Gift or transfer in trust before January 1, 1921.

Property transmitted at death.

Transfer in trust with

Without full consideration, under general power of appointment.

Acquired nange. *Ante*, p. 704.

SEC. 113. ADJUSTED BASIS FOR DETERMINING GAIN OR LOSS.

(a) Basis (Unadjusted) of Property.—The basis of property

shall be the cost of such property; except that—

(1) INVENTORY VALUE.—If the property should have been included in the last inventory, the basis shall be the last inventory value thereof.

(2) GIFTS AFTER DECEMBER 31, 1920.—If the property was acquired by gift after December 31, 1920, the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift, except that for the purpose of determining loss the basis shall be the basis so determined or the fair market value of the property at the time of the gift, whichever is lower. If the facts necessary to determine the basis in the hands of the donor or the last preceding owner are unknown to the donee, the Commissioner shall, if possible, obtain such facts from such donor or last preceding owner, or any other person cognizant thereof. If the Commissioner finds it impossible to obtain such facts, the basis in the hands of such donor or last preceding owner shall be the fair market value of such property as found by the Commissioner as of the date or approximate date at which, according to the best information that the Commissioner is able to obtain, such property was acquired by such donor or last preceding owner.

(3) TRANSFER IN TRUST AFTER DECEMBER 31, 1920.—If the property was acquired after December 31, 1920, by a transfer in trust (other than by a transfer in trust by a bequest or devise) the basis shall be the same as it would be in the hands of the grantor, increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law

applicable to the year in which the transfer was made.

(4) GIFT OR TRANSFER IN TRUST BEFORE JANUARY 1, 1921.—If the property was acquired by gift or transfer in trust on or before December 31, 1920, the basis shall be the fair market value of such

property at the time of such acquisition.

(5) PROPERTY TRANSMITTED AT DEATH.—If the property was acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent, the basis shall be the fair market value of such property at the time of such acquisition. In the case of property transferred in trust to pay the income for life to or upon the order or direction of the grantor, with the right reserved to the grantor at all times prior to his death to revoke the trust, the basis of such property in the hands of the persons entitled under the terms of the trust instrument to the property after the grantor's death shall, after such death, be the same as if the trust instrument had been a will executed on the day of the grantor's death. For the purpose of this paragraph property passing without full and adequate consideration under a general power of appointment exercised by will shall be deemed to be property passing from the individual exercising such power by bequest or devise.

(6) Tax-free exchanges generally.—If the property was acquired, after February 28, 1913, upon an exchange described in section 112(b) to (e), inclusive, the basis shall be the same as in the case of the property exchanged, decreased in the amount of COMPUTATION any money received by the taxpayer and increased in the amount of NET INCOME. of gain or decreased in the amount of loss to the taxpayer that Contd. was recognized upon such exchange under the law applicable to and partly on exchange the year in which the exchange was made. If the property so property. acquired consisted in part of the type of property permitted by section 112(b) to be received without the recognition of gain or loss, and in part of other property, the basis provided in this paragraph shall be allocated between the properties (other than money) received, and for the purpose of the allocation there shall be assigned to such other property an amount equivalent to its fair market value at the date of the exchange. This paragraph Stock issued as consideration excepted. shall not apply to property acquired by a corporation by the issuance of its stock or securities as the consideration in whole or in part for the transfer of the property to it.

REMAINS IN SAME PERSONS.—If the property was acquired after tion where control of property remains in December 31, 1917, by a corporation in connection with a reorganisame persons. zation, and immediately after the transfer an interest or control in such property of 50 per centum or more remained in the same persons or any of them, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made. This paragraph shall not apply if By a corporation a the property acquired consists of stock or securities in a corporation. tion a party to the reorganization, unless acquired by the issuance of stock or securities of the transferee as the consideration in whole or in part for the transfer.

(8) PROPERTY ACQUIRED BY ISSUANCE OF STOCK OR AS PAID-IN issuance of stock or as SURPLUS.—If the property was acquired after December 31, 1920, paid-in surplus, by a corporation—

by a corporation—

by a corporation-

with a transaction described in section 112(b)(5) (including, controlled by transaction, cases where part of the consideration for the transaction. such property to the corporation was property or money, in addition to such stock or securities), or

(B) as paid-in surplus or as a contribution to capital, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made.

(9) INVOLUNTARY CONVERSION.—If the property was acquired, Acquired by involuntary conversion. after February 28, 1913, as the result of a compulsory or involuntary conversion described in section 112(f), the basis shall be the same as in the case of the property so converted, decreased in the amount of any money received by the taxpayer which was not expended in accordance with the provisions of law (applicable to the year in which such conversion was made) determining the taxable status of the gain or loss upon such conversion, and increased in the amount of gain or decreased in the amount of loss to the taxpayer recognized upon such conversion under the law applicable to the year in which such conversion was made.

(10) Wash sales of stock.—If the property consists of stock on which loss or securities the acquisition of which (or the contract or option allowed to acquire which) resulted in the nondeductibility (under section Post, p. 715. 118 of this Act or corresponding provisions of prior income tax

Paid-in surplus, etc.

Wash sales of stock

INCOME TAX.
COMPUTATION
OF NET INCOME—
Contd.
Basis.

Property acquired during affiliation.

Adjustment and determination of basis.

"Period of affiliation" defined.

Basis in subsequent years.

Vol. 45, p. 831

Post, p 721.

Basis established by Revenue Act of 1932.

Basis for partnership property, acquired after February 28, 1913.

Property acquired before March 1913.

laws, relating to wash sales) of the loss from the sale or other disposition of substantially identical stock or securities, then the basis shall be the basis of the stock or securities so sold or disposed of, increased or decreased, as the case may be, by the difference, if any, between the price at which the property was acquired and the price at which such substantially identical stock or securities were sold or otherwise disposed of.

(11) Property acquired during affiliation.—In the case of property acquired by a corporation, during a period of affiliation, from a corporation with which it was affiliated, the basis of such property, after such period of affiliation, shall be determined, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, without regard to inter-company transactions in respect of which gain or loss was not recognized. For the purposes of this paragraph, the term "period of affiliation" means the period during which such corporations were affiliated (determined in accordance with the law applicable thereto) but does not include any taxable year beginning on or after January 1, 1922, unless a consolidated return was made, nor any taxable year after the taxable year 1928. The basis in case of property acquired by a corporation during any period, in the taxable year 1929 or any subsequent taxable year, in respect of which a consolidated return is made by such corporation under section 141 of this Act or the Revenue Act of 1928 or the Revenue Act of 1932, shall be determined in accordance with regulations prescribed under section 141 (b) of this Act or the Revenue Act of 1928 or the Revenue Act of 1932. The basis in the case of property held by a corporation during any period, in the taxable year 1929 or any subsequent taxable year, in respect of which a consolidated return is made by such corporation under section 141 of this Act or the Revenue Act of 1928 or the Revenue Act of 1932, shall be adjusted in respect of any items relating to such period, in accordance with regulations prescribed under section 141 (b) of this Act or the Revenue Act of 1928 or the Revenue Act of 1932, applicable to such period.

(12) Basis established by Revenue Act of 1932.—If the property was acquired, after February 28, 1913, in any taxable year beginning prior to January 1, 1934, and the basis thereof, for the purposes of the Revenue Act of 1932 was prescribed by section 113(a) (6), (7), or (9) of such Act, then for the purposes of this Act the basis shall be the same as the basis therein prescribed in the Revenue Act of 1932.

(13) Partnerships.—If the property was acquired, after February 28, 1913, by a partnership and the basis is not otherwise determined under any of the paragraphs (1) to (12), inclusive, of this subsection, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made. If the property was distributed in kind by a partnership to any partner, the basis of such property in the hands of the partner shall be such part of the basis in his hands of his partnership interest as is properly allocable to such property.

(14) Property acquired before March 1, 1913.—In the case of

(14) Property acquired before March 1, 1913.—In the case of property acquired before March 1, 1913, if the basis otherwise determined under this subsection, adjusted (for the period prior to March 1, 1913) as provided in subsection (b), is less than the fair market value of the property as of March 1, 1913, then the

basis for determining gain shall be such fair market value. In determining the fair market value of stock in a corporation as of NET INCOMETAX. COMPUTATION OF NET INCOMETAX. COMPUTATION OF NET INCOMETAX.

COMPUTATION OF NET INCOMETAX.

COMPUTATION OF NET INCOMETAX.

Assots based on fair value of the assets of the corporation as of that date. value of the assets of the corporation as of that date.

(b) Adjusted Basis.—The adjusted basis for determining the gain Adjusted basis for determining gain or or loss from the sale or other disposition of property, whenever loss. acquired, shall be the basis determined under subsection (a), adjusted

as hereinafter provided.

(1) General Rule.—Proper adjustment in respect of the property shall in all cases be made—

(A) for expenditures, receipts, losses, or other items, propularly charges on chargeable to capital account, including taxes and other erty. carrying charges on unimproved and unproductive real property, but no such adjustment shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or

prior taxable years;

(B) in respect of any period since February 28, 1913, for Pebruary 1913. exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent allowed (but not less than the amount allowable) under this Act or prior income tax laws. Where for any taxable year prior to the taxable year 1932 the depletion allowance was based on discovery value or a percentage of income, then the adjustment for depletion for such year shall be based on the depletion which would have been allowable for such year if computed without reference to discovery value or a percentage of income;

(C) in respect of any period prior to March 1, 1913, for Any period prior to exhaustion, wear and tear, obsolescence, amortization, and deple-

tion, to the extent sustained;

(D) in the case of stock (to the extent not provided for in Basis reduced by taxthe foregoing subparagraphs) for the amount of distributions previously made which, under the law applicable to the year in which the distribution was made, either were tax-free or were applicable in reduction of basis (not including distributions made by a corporation, which was classified as a personal service Vol. 40, p. 1070; Vol. corporation under the provisions of the Revenue Act of 1918 or 1921, out of its earnings or profits which were taxable in accordance with the provisions of section 218 of the Revenue Act of 1918 or 1921).

(2) Substituted basis.—The term "substituted basis" as used in this subsection means a basis determined under any provision of subsection (a) of this section or under any corresponding provision of a prior income tax law, providing that the basis shall be

determined-

(A) by reference to the basis in the hands of a transferor, donor, or grantor, or

(B) by reference to other property held at any time by the person for whom the basis is to be determined.

Whenever it appears that the basis of property in the hands of the taxpayer is a substituted basis, then the adjustments provided in paragraph (1) of this subsection shall be made after first making in respect of such substituted basis proper adjustments of a similar nature in respect of the period during which the property was held by the transferor, donor, or grantor, or during which the other property was held by the person for whom the basis is to be determined. A similar rule shall be applied in the case of a series of substituted bases.

General rule. Adjustment to capital account.

Substituted basis. Determination of.

Adjustments.

INCOME TAX.
COMPUTATION
OF NET INCOME—
Contd.
Basis for depreciation and depletion.
Ante, p. 709.

SEC. 114. BASIS FOR DEPRECIATION AND DEPLETION.

(a) Basis for Depreciation.—The basis upon which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in section 113(b) for the purpose of determining the gain upon the sale or other disposition of such property.

(b) Basis for Depletion.—

(1) General rule.—The basis upon which depletion is to be allowed in respect of any property shall be the adjusted basis provided in section 113(b) for the purpose of determining the gain upon the sale or other disposition of such property, except as provided in paragraphs (2), (3), and (4) of this subsection.

(2) DISCOVERY VALUE IN CASE OF MINES.—In the case of mines (other than metal, coal or sulphur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost. The depletion allowance under section 23(m) based on discovery value provided in this paragraph shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property upon which the discovery was made, except that in no case shall the depletion allowance under section 23 (m) be less than it would be if computed without reference to discovery value. Discoveries shall include minerals in commercial quantities contained within a vein or deposit discovered in an existing mine or mining tract by the taxpayer after February 28, 1913, if the vein or deposit thus discovered was not merely the uninterrupted extension of a continuing commercial vein or deposit already known to exist, and if the discovered minerals are of sufficient value and quantity that they could be separately mined and marketed at a profit.

(3) PERCENTAGE DEPLETION FOR OIL AND GAS WELLS.—In the case of oil and gas wells the allowance for depletion under section 23(m) shall be 27½ per centum of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property, except that in no case shall the depletion allowance under section 23(m) be less than it would be if computed without reference to this

paragraph.

(4) Percentage depletion for coal and metal mines and sulphur.—The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 per centum, in the case of metal mines, 15 per centum, and, in the case of sulphur mines or deposits, 23 per centum, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed 50 per centum of the net income of the taxpayer (computed without allowance for depletion) from the property. A taxpayer making his first return under this title in respect of a property shall state whether he elects to have the depletion allowance for such property for the taxable year for which the return is made computed with or without regard to percentage depletion, and the depletion allow-

General rule

Discovery value in case of mines.

Ante, p. 689.

Depletion allowance without reference to discovery value.

Minerals included.

Oil and gas allow-

Maximum.

Percentage depletion for coal and metal mines and sulphur.

Maximum.

Taxpayer's election as to computation to govern future years.

according to the election thus made. If the taxpayer fails to make such statement in the return, the depletion allowance for such property for such year shall be computed COMPUTATION OF NET INCOME—Contd. such statement in the return, the depletion allowance for such If n property for such year shall be computed without reference to percentage depletion. The method, determined as above, of computing the depletion allowance shall be applied in the case of the property for all taxable years in which it is in the hands of such taxpayer, or of any other person if the basis of the property (for determining gain) in his hands is, under section 113, determined by reference to the basis in the hands of such taxpayer, either directly or through one or more substituted bases, as defined in that section.

SEC. 115. DISTRIBUTIONS BY CORPORATIONS.

(a) Definition of Dividend.—The term "dividend" when used in this title (except in section 203(a)(4) and section 207(c)(1), relating to insurance companies) means any distribution made by a corporation to its shareholders, whether in money or in other prop-dividends. erty, out of its earnings or profits accumulated after February 28,

(b) Source of Distributions.—For the purposes of this Act every distribution is made out of earnings or profits to the extent thereof, and from the most recently accumulated earnings or profits. Any hetere March 1, 1913, earnings or profits accumulated, or increase in value of property tax free. accrued, before March 1, 1913, may be distributed exempt from tax, after the earnings and profits accumulated after February 28, 1913, have been distributed, but any such tax-free distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113.

(c) DISTRIBUTIONS IN LIQUIDATION.—Amounts distributed in com- didation, to be in full plete liquidation of a corporation shall be treated as in full payment payment for stock. in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from such exchange shall be determined under section 111, but shall be recognized only to the extent provided in section 112. Despite the provisions of section 117(a), 100 per centum of the gain so recognized shall be taken into account in computing net income. In the case of amounts distributed (whether before January 1, 1934, or on or after such date) in partial liquidation (other than a distribution within the provisions of subsection (h) of this section of stock or securities in connection with a reorganization) the part of such distribution which is properly chargeable to capital account shall not be considered a distribution of earnings or profits within the meaning of subsection (b) of this section for the purpose of determining the taxability of subsequent distributions by the corporation.

(d) OTHER DISTRIBUTIONS FROM CAPITAL.—If any distribution of increase in value better (not in partial or complete liquidation) made by a corporation to its fore March 1, 1913, nor shareholders is not out of increase in value of property accrued from earnings or profits. before March 1, 1913, and is not out of earnings or profits, then the amount of such distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113, and if in excess of such basis, such excess shall be taxable in the same manner as a

gain from the sale or exchange of property.

(e) DISTRIBUTIONS BY PERSONAL SERVICE CORPORATIONS.—Any dissonal service corporation under the provisions of the Revenue Act of 1918

201

42, p. 245.

Distributions by personal service corporations, which was classified as a personal vol. 40, p. 1070; vol. 42, p. 245. or the Revenue Act of 1921, out of its earnings or profits which

Distributions by corporations.

"Dividend" defined. Post, pp., 732, 735.

Earnings after Feb-lary 28, 1913, deemed

Sources.

Ante, p. 706.

Gain or loss to dis-Post, p. 714.

Partial liquidation distribution.

Ante. p. 706.

INCOME TAX. COMPUTATION OF NET INCOME— Contd.

Stock dividends not taxable.

Redemption of stock;

Distribution of stock on reorganization. Effect on future distributions.

Vol. 47, p. 196. Definition of partial

were taxable in accordance with the provisions of section 218 of the Revenue Act of 1918 or section 218 of the Revenue Act of 1921, shall be exempt from tax to the distributees.

(f) STOCK DIVIDENDS.—A stock dividend shall not be subject to

(g) REDEMPTION OF STOCK.—If a corporation cancels or redeems its stock (whether or not such stock was issued as a stock dividend) at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend, the amount so distributed in redemption or cancellation of the stock, to the extent that its 1 represents a distribution of earnings or profits accumulated after February 28, 1913, shall be treated as a taxable dividend.

(h) DISTRIBUTION OF STOCK ON REORGANIZATION—EFFECT ON FUTURE DISTRIBUTIONS.—The distribution before January 1, 1934, in pursuance of a plan of reorganization, by or on behalf of a corporation a party to the reorganization, of its stock or securities or stock or securities in a corporation a party to the reorganization, if no gain to the distributee from the receipt of such stock or securities was recognized by law, shall not be considered a distribution of earnings or profits within the meaning of this section for the purpose of determining the taxability of subsequent distributions by the corporation. As used in this subsection, the terms "reorganization" and "party to the reorganization" shall have the meanings assigned to such terms in section 112 of the Revenue Act of 1932.

(i) Definition of Partial Liquidation.—As used in this section the term "amounts distributed in partial liquidation" means a distribution by a corporation in complete cancellation or redemption of a part of its stock, or one of a series of distributions in complete

cancellation or redemption of all or a portion of its stock.

Additional items exempt from tax. Ante, p. 687.

Earned income from sources without United States.

Ante, p. 692.

Teachers in Alaska and Hawaii.

Income of foreign gov-ernments from invest-ments in United States,

Income of States, etc., from public utilities.

Exclusions from gross SEC. 116. EXCLUSIONS FROM GROSS INCOME.

In addition to the items specified in section 22(b), the following items shall not be included in gross income and shall be exempt from taxation under this title:

(a) EARNED INCOME FROM SOURCES WITHOUT UNITED STATES.—In the case of an individual citizen of the United States, a bona fide nonresident of the United States for more than six months during the taxable year, amounts received from sources without the United States (except amounts paid by the United States or any agency thereof) if such amounts would constitute earned income as defined in section 25(a) if received from sources within the United States; but such individual shall not be allowed as a deduction from his gross income any deductions properly allocable to or chargeable against amounts excluded from gross income under this subsection.

(b) Teachers in Alaska and Hawaii.—In the case of an individual employed by Alaska or Hawaii or any political subdivision thereof as a teacher in any educational institution, the compensation received as such. This subsection shall not exempt compensation paid directly or indirectly by the Government of the United States.

(c) Income of Foreign Governments.—The income of foreign governments received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign governments, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments, or from any other source within the United States.

(d) INCOME OF STATES, MUNICIPALITIES, ETC.—Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of

¹ So in original.

Columbia, or any political subdivision of a State or Territory, or INCOME TAX. COMPUTATION income accruing to the government of any possession of the United OF NET INCOME—Contd.

States, or any political subdivision thereof.

Whenever any State, Territory, or the District of Columbia, or tracts for operation any political subdivision of a State or Territory, prior to September thereof. 8, 1916, entered in good faith into a contract with any person, the object and purpose of which is to acquire, construct, operate, or

maintain a public utility—

(1) If by the terms of such contract the tax imposed by this prior te division thereof title is to be paid out of the proceeds from the operation of such with State, etc. public utility, prior to any division of such proceeds between the person and the State, Territory, political subdivision, or the District of Columbia, and if, but for the imposition of the tax imposed by this title, a part of such proceeds for the taxable year would accrue directly to or for the use of such State, Territory, political subdivision, or the District of Columbia, then a tax upon the net income from the operation of such public utility shall be levied, assessed, collected, and paid in the manner and at the rates prescribed in this title, but there shall be refunded to such State, Territory, political subdivision, or the District of Columbia (under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary) an amount which bears the same relation to the amount of the tax as the amount which (but for the imposition of the tax imposed by this title) would have accrued directly to or for the use of such State, Territory, political subdivision, or the District of Columbia, bears to the amount of the net income from the operation of such public utility for such taxable year.

(2) If by the terms of such contract no part of the proceeds in State, etc., the net from the operation of the public utility for the taxable year income of persons taxwould, irrespective of the tax imposed by this title, accrue directly to or for the use of such State, Territory, political subdivision, or the District of Columbia then the tax upon the net income of the District of Columbia, then the tax upon the net income of such person from the operation of such public utility shall be levied, assessed, collected, and paid in the manner and at the

rates prescribed in this title.

Whenever any State or political subdivision thereof, in pursuance of a contract to which it is not a party entered in the contract to which it is not a party entered in the contract to which it is not a party entered in the contract to which it is not a party entered in the contract to which it is not a party entered in the contract to which it is not a party entered in the contract to the contr a contract to which it is not a party entered into before the enactment of the Revenue Act of 1928, is to acquire a bridge—

(1) If by the terms of such contract the tax imposed by this Levy on operation title is to be paid out of the proceeds from the operation of such sion thereof. bridge prior to any division of such proceeds, and if, but for the imposition of the tax imposed by this title, a part of such proceeds for the taxable year would accrue directly to or for the use of or would be applied for the benefit of such State or political subdivision, then a tax upon the net income from the operation of such bridge shall be levied, assessed, collected, and paid in the manner and at the rates prescribed in this title, but there shall be refunded to such State or political subdivision (under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary) an amount which bears the same relation to the amount of the tax as the amount which (but for the imposition of the tax imposed by this title) would have accrued directly to or for the use of or would be applied for the benefit of such State or political subdivision, bears to the amount of the net income from the operation of such bridge for such taxable year. No such refund shall be made unless the entire amount of

Refunds.

Refund to State, etc.

Restriction

the refund is to be applied in part payment for the acquisition

(2) If by the terms of such contract no part of the proceeds from the operation of the bridge for the taxable year would, irrespective of the tax imposed by this title, accrue directly to or

INCOME TAX.
COMPUTATION
OF NET INCOME—
Contd.
If no part accruing
to such State, etc., net
income from operation
to be taxable.

Dividends from "China Trade Act" corporations.

for the use of or be applied for the benefit of such State or political subdivision, then the tax upon the net income from the operation of such bridge shall be levied, assessed, collected, and paid in the manner and at the rates prescribed in this title.

(f) DIVIDEND FROM "CHINA TRADE ACT" CORPORATION.—

case of a person, amounts distributed as dividends to or for his benefit by a corporation organized under the China Trade Act, 1922, if, at the time of such distribution, he is a resident of China, and the equitable right to the income of the shares of stock of the

corporation is in good faith vested in him.

Shipowners' mutual associations.

(g) Shipowners' Protection and Indemnity Associations.—The receipts of shipowners' mutual protection and indemnity associations not organized for profit, and no part of the net earnings of which inures to the benefit of any private shareholder; but such corporations shall be subject as other persons to the tax upon their net income from interest, dividends, and rents.

Receipts.

Capital gains and SEC. 117. CAPITAL GAINS AND LOSSES.

Computation of tax.

(a) GENERAL RULE.—In the case of a taxpayer, other than a corporation, only the following percentages of the gain or loss recognized upon the sale or exchange of a capital asset shall be taken into account in computing net income:

100 per centum if the capital asset has been held for not more

than 1 year;

of such bridge.

80 per centum if the capital asset has been held for more than

1 year but not for more than 2 years;

60 per centum if the capital asset has been held for more than 2 years but not for more than 5 years;

40 per centum if the capital asset has been held for more than

5 years but not for more than 10 years;

30 per centum if the capital asset has been held for more than

10 years.

Definition of "capi-

(b) Definition of Capital Assets.—For the purposes of this title, "capital assets" means property held by the taxpayer (whether or not connected with his trade or business), but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

(c) DETERMINATION OF PERIOD FOR WHICH HELD.—For the purpose of subsection (a)-

(1) In determining the period for which the taxpayer has held property received on an exchange there shall be included the period for which he held the property exchanged, if under the provisions of section 113, the property received has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as the property exchanged.

(2) In determining the period for which the taxpayer has held property however acquired there shall be included the period for which such property was held by any other person, if under the provisions of section 113, such property has, for the purpose of determining gain or loss from a sale or exchange, the same basis

Determination of period for which held.

Property received on an exchange.

Ante. p. 706.

Period of property holding.

in whole or in part in his hands as it would have in the hands

of such other person.

whole or in part in his hands as it would have in the hands such other person.

(3) In determining the period for which the taxpayer has held stock, etc., received stock or securities received upon a distribution where no gain on a distribution. was recognized to the distributee under the provisions of section 112(g) of the Revenue Act of 1928 or the Revenue Act of 1932, there shall be included the period for which he held the stock or securities in the distributing corporation prior to the receipt

of the stock or securities upon such distribution.

(4) In determining the period for which the taxpayer has held Computing period stock has been held. stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility (under section 118 of this Act or section 118 of the Revenue Act of 1928 or the Revenue Act of 1932, relating to wash sales) of the loss from the sale or other disposition of substantially identical stock or securities, there shall be included the period for which he held the stock or securities the loss from the sale or other disposition of which was not deductible.

(d) LIMITATION ON CAPITAL LOSSES.—Losses from sales or Capitallosses allowed exchanges of capital assets shall be allowed only to the extent of etc. \$2,000 plus the gains from such sales or exchanges. If a bank or trust company incorporated under the laws of the United States or of any State or Territory, a substantial part of whose business is the receipt of deposits, sells any bond, debenture, note, or certificate or other evidence of indebtedness issued by any corporation (including one issued by a government or political subdivision thereof), with interest coupons or in registered form, any loss resulting from such sale (except such portion of the loss as does not exceed the amount, if any, by which the adjusted basis of such instrument exceeds the par or face value thereof) shall not be subject to the foregoing limitation and shall not be included in determining the applicability of such limitation to other losses.

(e) Gains and Losses from Short Sales, Etc.—For the purpose

of this title-

(1) gains or losses from short sales of property shall be con- Transactions considered as. sidered as gains or losses from sales or exchanges of capital assets;

(2) gains or losses attributable to the failure to exercise privileges or options to buy or sell property shall be considered as gains or losses from sales or exchanges of capital assets held for one year or less.

(f) RETIREMENT OF BONDS, ETC.—For the purposes of this title, Retirement of bonds, amounts received by the holder upon the retirement of bonds, debentures, notes, or certificates or other evidences of indebtedness issued by any corporation (including those issued by a government or political subdivision thereof), with interest coupons or in registered

form, shall be considered as amounts received in exchange therefor.

SEC. 118. LOSS FROM WASH SALES OF STOCK OR SECURITIES.

(a) In the case of any loss claimed to have been sustained from any sale or other disposition of shares of stock or securities where acquired substantially it appears that, within a period beginning 30 days before the date of days.

Restriction on claim for, if taxpayer has acquired substantially identical stock within appears that, within a period beginning 30 days before the date of days. of such sale or disposition and ending 30 days after such date, the taxpayer has acquired (by purchase or by an exchange upon which the entire amount of gain or loss was recognized by law), or has entered into a contract or option so to acquire, substantially identical stock or securities, then no deduction for the loss shall be allowed under section 23(e)(2); nor shall such deduction be allowed under section 23(f) unless the claim is made by a corporation, a dealer poration.

Vol. 45, p. 818.

Vol. 45, p. 826.

Gains and losses from short sales, etc.

Loss from wash sales of stock, etc.

Ante, p. 688. Allowance to a cor-

property acquired is less than sold.

INCOME TAX. in stocks or securities, and with respect to a transaction made in OF NET INCOME— the ordinary course of its business.

Cond. Computation where (b) If the amount of stock or securities acquired (or covered by

the contract or option to acquire) is less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the loss from the sale or other disposition of which is not deductible shall be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Computation where property acquire not less than sold. acquired is

(c) If the amount of stock or securities acquired (or covered by the contract or option to acquire) is not less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility of the loss shall be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Income from sources within United States.

Items treated as

Interest, etc.

Paid to persons not business in United States

If less than 20 per cent from United States sources.

From bankers' ac-

Dividends. Domestic corporations.

Foreign corporations.

SEC. 119. INCOME FROM SOURCES WITHIN UNITED STATES.

(a) Gross Income from Sources in United States.—The following items of gross income shall be treated as income from sources within the United States:

(1) Interest.—Interest from the United States, any Territory, any political subdivision of a Territory, or the District of Columbia, and interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, not including-

(A) interest on deposits with persons carrying on the banking business paid to persons not engaged in business within the United States and not having an office or place of business therein, or

(B) interest received from a resident alien individual, a resident foreign corporation, or a domestic corporation, when it is shown to the satisfaction of the Commissioner that less than 20 per centum of the gross income of such resident payor or domestic corporation has been derived from sources within the United States, as determined under the provisions of this section, for the three-year period ending with the close of the taxable year of such payor preceding the payment of such interest, or for such part of such period as may be applicable,

(C) income derived by a foreign central bank of issue from bankers' acceptances;

(2) Dividends.—The amount received as dividends—

(A) from a domestic corporation other than a corporation entitled to the benefits of section 251, and other than a corporation less than 20 per centum of whose gross income is shown to the satisfaction of the Commissioner to have been derived from sources within the United States, as determined under the provisions of this section, for the three-year period ending with the close of the taxable year of such corporation preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence), or

(B) from a foreign corporation unless less than 50 per centum of the gross income of such foreign corporation for the three-year period ending with the close of its taxable year preceding the declaration of such dividends (or for such part of such period as the corporation has been in existence) was derived from sources within the United States as determined under the provisions of this section; but dividends from a foreign

foreign tax credit), be treated as income from sources without of NET INCOME TAX. COMPUTATION the United States;

(3) PERSONAL ASSESSED OF SECTION 131 (relating to COMPUTATION COMPUTATION OF NET INCOME.)

(3) Personal services.—Compensation for labor or personal services performed in the United States;

Personal services.

(4) RENTALS AND ROYALTIES.—Rentals or royalties from property located in the United States or from any interest in such States sources.

Rentals, royalties, tc., from United

property, including rentals or royalties for the use of or for the privilege of using in the United States, patents, copyrights, secret processes and formulas, good will, trade-marks, trade brands, franchises, and other like property; and

Real property sales.

(5) Sale of real property.—Gains, profits, and income from the sale of real property located in the United States.

Sale of personal prop-

(6) Sale of Personal Property.—For gains, profits, and income

from the sale of personal property, see subsection (e).

(b) NET INCOME FROM SOURCES IN UNITED STATES.—From the sources items of gross income specified in subsection (a) of this section there sources states. shall be deducted the expenses, losses, and other deductions properly apportioned or allocated thereto and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be

Gross income from without United States.

included in full as net income from sources within the United States.

(c) Gross Income from Sources Without United States.—
The following items of gross income shall be treated as income from sources without the United States:

(1) Interest other than that derived from sources within the terest. United States as provided in subsection (a) (1) of this section;

Other sources of in-

(2) Dividends other than those derived from sources within the

Other dividends.

United States as provided in subsection (a) (2) of this section;
(3) Compensation for labor or personal services performed

Compensation for services without United States.

without the United States; (4) Rentals or royalties from property located without the Rentals, royalties, United States or from any interest in such property, including States. rentals or royalties for the use of or for the privilege of using without the United States, patents, copyrights, secret processes

and formulas, good will, trade-marks, trade brands, franchises,

and other like properties; and
(5) Gains, profits, and income from the sale of real property Real estate sale (5) Gains, profits, and income from the sale of real property without United States. located without the United States.

(d) Net Income from Sources Without United States.—From (d) NET INCOME FROM SOURCES WITHOUT UNITED STATES.—From Net income from the items of gross income specified in subsection (c) of this section united states. there shall be deducted the expenses, losses, and other deductions properly apportioned or allocated thereto, and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some item or class of gross income. The remainder, if any, shall be treated in full as net income from sources without the United States.

(e) Income from Sources Partly Within and Partly Without United States.—Items of gross income, expenses, losses and deductional United States. tions, other than those specified in subsections (a) and (c) of this section, shall be allocated or apportioned to sources within or without the United States, under rules and regulations prescribed by the Commissioner with the approval of the Secretary. Where items of gross income are separately allocated to sources within the United From United States States, there shall be deducted (for the purpose of computing the net income therefrom) the expenses, losses, and other deductions properly apportioned or allocated thereto and a ratable part of

other expenses, losses or other deductions which can not definitely

Apportionment.

Processes etc., for determination.

Gains from transportation or other serv-

Sale of personal prop-

INCOME TAX.
COMPUTATION be allocated to some item or class of gross income. The remainder, OF NET INCOME—
if any, shall be included in full as net income from the United States. In the case of gross income derived from sources partly within and partly without the United States, the net income may first be computed by deducting the expenses, losses, or other deductions apportioned or allocated thereto and a ratable part of any expenses, losses, or other deductions which can not definitely be allocated to some items or class of gross income; and the portion of such net income attributable to sources within the United States may be determined by processes or formulas of general apportionment prescribed by the Commissioner with the approval of the Secretary. Gains, profits, and income from-

(1) transportation or other services rendered partly within and

partly without the United States, or

(2) from the sale of personal property produced (in whole or in part) by the taxpayer within and sold without the United States, or produced (in whole or in part) by the taxpayer without and sold within the United States,

shall be treated as derived partly from sources within and partly from sources without the United States. Gains, profits and income derived from the purchase of personal property within and its sale without the United States or from the purchase of personal property without and its sale within the United States, shall be treated as derived entirely from sources within the country in which sold, except that gains, profits, and income derived from the purchase of personal property within the United States and its sale within a possession of the United States or from the purchase of personal property within a possession of the United States and its sale within the United States shall be treated as derived partly from sources within and partly from sources without the United States.

(f) Definitions.—As used in this section the words "sale" or "sold" include "exchange" or "exchanged"; and the word "produced" includes "created", "fabricated", "manufactured", "extracted", "processed", "cured", or "aged".

tions, etc.

Exceptions.

Definitions

Charitable contribu- SEC. 120. UNLIMITED DEDUCTION FOR CHARITABLE AND OTHER CONTRIBUTIONS.

Unlimited deduction.

In the case of an individual if in the taxable year and in each of the ten preceding taxable years the amount of the contributions or gifts described in section 23(o) plus the amount of income, warprofits, or excess-profits taxes paid during such year in respect of preceding taxable years, exceeds 90 per centum of the taxpayer's net income for each such year, as computed without the benefit of section 23(o), then the 15 per centum limit imposed by such section shall not be applicable.

Ante, p. 690.

CREDITS AGAINST TAX.

Supplement C—Credits Against Tax

[Supplementary to Subtitle B, Part III]

tries, and U.S. possessions.

Taxes of U.S. court. SEC. 131. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Allowances.

(a) Allowance of Credit.—If the taxpayer signifies in his return his desire to have the benefits of this section, the tax imposed by this title shall be credited with:

Payments of citizens and domestic corpora-

(1) CITIZEN AND DOMESTIC CORPORATION.—In the case of a citizen of the United States and of a domestic corporation, the amount of any income, war-profits, and excess-profits taxes paid or accrued

during the taxable year to any foreign country or to any possession

of the United States; and

ring the taxable year to any foreign country or to any possession the United States; and

(2) RESIDENT OF UNITED STATES.—In the case of a resident of Resident; to United States. the United States, the amount of any such taxes paid or accrued states possessions. during the taxable year to any possession of the United States;

(3) ALIEN RESIDENT OF UNITED STATES.—In the case of an alien Alien resident to for-resident of the United States, the amount of any such taxes paid similar credit. or accrued during the taxable year to any foreign country, if the foreign country of which such alien resident is a citizen or subject, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

(4) Partnerships and estates.—In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid or accrued during the taxable year to a foreign country or to any possession of the United States, as the case may be.

(b) Limit on Credit.—The amount of the credit taken under this

section shall be subject to each of the following limitations:

(1) The amount of the credit in respect of the tax paid or Proportionate credit accrued to any country shall not exceed the same proportion of country. The tax against which such credit is taken, which the taxpayer's net income from sources within such country bears to his entire net income for the same taxable year; and

(2) The total amount of the credit shall not exceed the same Limits amount. proportion of the tax against which such credit is taken, which the taxpayer's net income from sources without the United States

bears to his entire net income for the same taxable year.

(c) Adjustments on Payment of Accrued Taxes.—If accrued (c) Adjustments on Payment of Accrued Taxes.—If accrued Adjustments it tax taxes when paid differ from the amounts claimed as credits by the its claimed. taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the Commissioner, who shall redetermine the amount of the tax for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 322. In the case of such a tax accrued but not paid, the Commissioner as a condition paid. precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the Commissioner in such sum as the Commissioner may require, conditioned upon the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the Commissioner

(d) YEAR IN WHICH CREDIT TAKEN.—The credits provided for Credits for taxes may be take in this section may, at the option of the taxpayer and irrespective the year accrued. of the method of accounting employed in keeping his books, be taken in the year in which the taxes of the foreign country or the possession of the United States accrued, subject, however, to the conditions prescribed in subsection (c) of this section. If the taxpayer elects to take such credits in the year in which the taxes of the foreign country or the possession of the United States accrued, the credits for all subsequent years shall be taken upon the same basis, and no portion of any such taxes shall be allowed as a deduction in the

same or any succeeding year.

Partnerships and es-

Limit on credit.

Limitation on total

Redetermination.

Post. p. 750.

Tax accrued but un-

Bond required.

Credits for foreign taxes may be taken in

Credits on same basis for subsequent years

Ante, p. 716. Segregation.

information Other necessary.

Taxes of foreign sub-Proportion of foreign tax on dividends re-ceived deemed to have been paid.

Meaning of "accumulated profits."

Accounting period for earnings.

Corporations treated as foreign.

United States possessions, Post, p. 738.

China Trade Act corporations. Post, p. 739

RETURNS AND PAYMENT OF TAX.

Privilege of filing.

of corporations.

INCOME TAX.
C R E D I T S
AGAINST TAX—

Contd.
Proof of credits.
Proof of credits.
Evidence of foreign income.

(e) Proof of Credits.—The credits provided in this section snam to the taxpayer establishes to the satisfaction of the Commissioner (1) the total amount of income derived from sources without the United States, determined as provided in section 119, (2) the amount of income derived from each country, the tax paid or accrued to which is claimed as a credit under this section, such amount to be determined under rules and regulations prescribed by the Commissioner with the approval of the Secretary, and (3) all other information necessary for the verification and computation of such credits.

(f) Taxes of Foreign Subsidiary.—For the purposes of this sec-

tion a domestic corporation which owns a majority of the voting

stock of a foreign corporation from which it receives dividends in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount Proviso.
Limit on credit all lowed. That the amount of tax deemed to have been paid under this subsection shall in no case argued the of such dividends bears to the amount of such accumulated profits: tax against which credit is taken which the amount of such dividends bears to the amount of the entire net income of the domestic corporation in which such dividends are included. The term "accumulated profits" when used in this subsection in reference to a foreign corporation, means the amount of its gains, profits, or income in excess of the income, war-profits, and excess-profits taxes

Determination of by imposed upon or with respect to such profits or income; and the Commissioner with the approval of the Secretary shall have full power to determine from the accumulated profits of what year or years such dividends were paid; treating dividends paid in the first sixty days of any year as having been paid from the accumulated profits of the preceding year or years (unless to his satisfaction shown otherwise), and in other respects treating dividends as having been paid from the most recently accumulated gains, profits of been paid from the most recently accumulated gains, profits, or In the case of a foreign corporation, the income, warprofits, and excess-profits taxes of which are determined on the basis of an accounting period of less than one year, the word "year" as

> period. (g) Corporations Treated as Foreign.—For the purposes of this section the following corporations shall be treated as foreign corporations:

> used in this subsection shall be construed to mean such accounting

(1) A corporation entitled to the benefits of section 251, by reason of receiving a large percentage of its gross income from sources within a possession of the United States;
(2) A corporation organized under the China Trade Act, 1922.

and entitled to the credit provided for in section 261.

Supplement D-Returns and Payment of Tax

[Supplementary to Subtitle B, Part V]

Consolidated returns SEC. 141. CONSOLIDATED RETURNS OF RAILROAD CORPORATIONS.

(a) Privilege to File Consolidated Returns.—An affiliated group of corporations shall, subject to the provisions of this section, have the privilege of making a consolidated return for the taxable year in lieu of separate returns. The making of a consolidated return shall be upon the condition that all the corporations which have been members of the affiliated group at any time during the RETURNS AND taxable year for which the return is made consent to all the regula-PAYMENTS-Contd. tions under subsection (b) (or in case such regulations are not Regulations to detertions under subsection (b) (or, in case such regulations are not mine tax liability. prescribed prior to the making of the return, then the regulations prescribed under section 141(b) of the Revenue Act of 1932 insofar as not inconsistent with this Act) prescribed prior to the making of such return; and the making of a consolidated return shall be considered as such consent. In the case of a corporation which is a Frequency member of the affiliated group for a fractional part of the year the consolidated return shall include the income of such corporation for such part of the year as it is a member of the affiliated group.

(b) REGULATIONS.—The Commissioner, with the approval of the Regulations to determine tax liability. Secretary, shall prescribe such regulations as he may deem necessary in order that the tax liability of any affiliated group of corporations making a consolidated return and of each corporation in the group, both during and after the period of affiliation, may be determined, computed, assessed, collected, and adjusted in such manner as clearly

to reflect the income and to prevent avoidance of tax liability.

(c) Computation and Payment of Tax.—In any case in which computation and payment of tax. a consolidated return is made the tax shall be determined, computed, assessed, collected, and adjusted in accordance with the regulations under subsection (b) (or, in case such regulations are not prescribed prior to the making of the return, then the regulations prescribed under section 141(b) of the Revenue Act of 1932

Returns filed prior making regulations.

Vol. 47, p. 213. insofar as not inconsistent with this Act) prescribed prior to the date on which such return is made; except that there shall be added to the rate of tax prescribed by section 13(a) a rate of 2 per centum, but the tax at such increased rate shall be considered as imposed by section 13(a).

(d) Definition of "Affiliated Group".—As used in this section defined an "affiliated group" means one or more chains of corporations connected through stock ownership with a common parent corpora-

(1) At least 95 per centum of the stock of each of the corpora- Stock members. tions (except the common parent corporation) is owned directly by one or more of the other corporations; and

(2) The common parent corporation owns directly at least 95 tion. Of parent corporaper centum of the stock of at least one of the other corporations; and

(3) Each of the corporations is either (A) a corporation whose to purposes of paraprincipal business is that of a common carrier by railroad or (B) graph. a corporation the assets of which consist principally of stock in such corporations and which does not itself operate a business other than that of a common carrier by railroad. For the purpose of determining whether the principal business of a corporation is that of a common carrier by railroad, if a common carrier by railroad has leased its railroad properties and such properties are operated as such by another common carrier by railroad, the business of receiving rents for such railroad properties shall be considered as the business of a common carrier by railroad.

As used in this subsection (except in paragraph (3)) the term "stock" does not include nonvoting stock which is limited and preferred as to dividends.

(e) Foreign Corporations .- A foreign corporation shall not be deemed to be affiliated with any other corporation within the meaning of this section.

(f) China Trade Act Corporations.—A corporation organized corporations under the China Trade Act, 1922, shall not be deemed to be affiliated not affiliated. with any other corporation within the meaning of this section.

Vol. 47, p. 213

Fractional part of

'Affiliated group"

Stock ownership of

"Stock" defined.

Foreign corporations.

China Trade Act

INCOME TAX.
RETURNS AND
PAYMENTS—Contal.
Corporations in United States possessions treated as foreign.

(g) Corporations Deriving Income From Possessions of United to Corporations in the benefits of section 251, by reason of receiving a large percentage of its income from possessions of the United States, shall be treated

Subsidiary of domestic corporation formed to comply with foreign case of a domestic corporation owning or controlling, directly or law, deemed domestic, indirectly 100 per centum of the capital stock (exclusive of directly controlling). indirectly, 100 per centum of the capital stock (exclusive of directors' qualifying shares) of a corporation organized under the laws of a contiguous foreign country and maintained solely for the purpose of complying with the laws of such country as to title and operation of property, such foreign corporation may, at the option of the domestic corporation, be treated for the purpose of this title as a domestic corporation.

(i) Suspension of Running of Statute of Limitations.—If a notice under section 272(a) in respect of a deficiency for any taxable year is mailed to a corporation, the suspension of the running of the statute of limitations, provided in section 277, shall apply in the case of corporations with which such corporation made a consolidated return for such taxable year.

(j) Allocation of Income and Deductions.—For allocation of income and deductions of related trades or businesses, see section 45.

Suspension of run-ning of statute of limi-Post, p. 741.

Allocation of income and deductions. Ante, p. 695.

Fiduciary returns.

Sworn statements of income, etc., of beneficiaries.

Net income of \$1,000 or over, if single, etc

Married, etc., with

Gross, of \$5,000 or

Estates or trusts of \$1,000 net income or over.

Gross income of \$5,000 or over.

Nonresident alien heneficiaries.

By joint fiduciaries.

Oath required.

Subject to provisions applicable to individuals.

SEC. 142. FIDUCIARY RETURNS.

(a) REQUIREMENT OF RETURN.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title-

(1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with

husband or wife;

(2) Every individual having a net income for the taxable year of \$2,500 or over, if married and living with husband or wife;

(3) Every individual having a gross income for the taxable year of \$5,000 or over, regardless of the amount of his net income; (4) Every estate or trust the net income of which for the taxable year is \$1,000 or over;

(5) Every estate or trust the gross income of which for the taxable year is \$5,000 or over, regardless of the amount of the net

income; and

(6) Every estate or trust of which any beneficiary is a non-

resident alien.

(b) Joint Fiduciaries.—Under such regulations as the Commissioner with the approval of the Secretary may prescribe a return made by one of two or more joint fiduciaries and filed in the office of the collector of the district where such fiduciary resides shall be sufficient compliance with the above requirement. Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual, estate, or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

(c) Law Applicable to Fiduciaries.—Any fiduciary required to make a return under this title shall be subject to all the provisions of law which apply to individuals.

SEC. 143. WITHHOLDING OF TAX AT SOURCE.

(a) TAX-FREE COVENANT BONDS.-

(1) REQUIREMENT OF WITHHOLDING.—In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a bonds.

By corporations corporation, issued before January 1, 1934, contain a contract or By corporations provision by which the obligor agrees to pay any portion of the est, free from tax, etc. tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax, or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon, or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per centum of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods, if payable to an individual, a partnership, or a foreign corporation not engaged in trade or business within the United States and not having any office or place of business therein: Provided, That if the liability assumed by the obligor does not exceed 2 per centum of the interest, then the deduction and withholding shall be at the following rates: (A) 4 per centum in the case of a nonresident alien individual, or dividual, etc. of any partnership not engaged in trade or business within the United States and not having any office or place of business therein and composed in whole or in part of nonresident aliens, (B) 13% per centum in the case of such a foreign corporation, and (C) 2 per centum in the case of other individuals and partnerships: Provided further, That if the owners of such obligations are not other known to the withholding agent the Commissioner may authorize etc. Unknown owners. such deduction and withholding to be at the rate of 2 per centum, or, if the liability assumed by the obligor does not exceed 2 per centum of the interest, then at the rate of 4 per centum.

(2) BENEFIT OF CREDITS AGAINST NET INCOME.—Such deduction against net income. and withholding shall not be required in the case of a citizen or resident entitled to receive such interest, if he files with the withholding agent on or before February 1 a signed notice in writing claiming the benefit of the credits provided in section 25(b); nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the Commissioner under section

214.

(3) INCOME OF OBLIGOR AND OBLIGEE.—The obligor shall not be grand obligee allowed a deduction for the payment of the tax imposed by this title, or any other tax paid pursuant to the tax-free covenant clause, nor shall such tax be included in the gross income of the

(b) Nonresident Aliens.—All persons, in whatever capacity acting, including lessees or mortgagors of real or personal property, at source. fiduciaries, employers, and all officers and employees of the United States, having the control, receipt, custody, disposal, or payment of interest (except interest on deposits with persons carrying on the banking business paid to persons not engaged in business in the United States and not having an office or place of business therein), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income, of any nonresident alien individual, or of any partnership not engaged in trade or business within the United States and not having any office or place of business therein and composed in whole or in part of nonresident aliens, (other than income received as dividends of the class allowed as a credit by section 25(a)) shall (except in the cases provided for in subsection

INCOME TAX.
RETURNS AND
PAYMENTS—Contd.
Withholding tax at

Tax-free covenant

Tax withheld.

Provisos. Rates.

From foreign corpo-Other individuals,

Ante. p. 693. Nonresident alien. Post, p. 736.

Nonresident aliens. Normal tax payable

Exception.
Ante, p. 692.

Proviso. Interest of unknown

Return and payment required

Ante. p. 698.

Payment.

Return by recipient of tax withheld.

Tax paid by recipi-

Refunds and credits to withholding agent.

Payment at source.

By foreign corpora-tions not in business in United States.

Rates.

Procise.
Rate when interest granted tax free.

Penalties.

SEC. 145. PENALTIES.

subsection.

of prosecution.

For willful failure to pay tax, make returns, etc.

Punishment for

PAYMENTS—Conto. prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and prescribed by the Commissioner under section 214) deduct and the Commissioner under section 215 deduct and 215 withhold from such annual or periodical gains, profits, and income a tax equal to 4 per centum thereof: *Provided*, That the Commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent.

(c) RETURN AND PAYMENT.—Every person required to deduct and withhold any tax under this section shall make return thereof on or before March 15 of each year and shall on or before June 15, in lieu of the time prescribed in section 56, pay the tax to the official of the United States Government authorized to receive it. Every such person is hereby made liable for such tax and is hereby indemnified against the claims and demands of any person for the amount of any payments made in accordance with the provisions of this section.

(d) Income of Recipient.—Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income, but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return.

(e) Tax Paid by Recipient.—If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be re-collected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

(f) REFUNDS AND CREDITS.—Where there has been an overpayment of tax under this section any refund or credit made under the provisions of section 322 shall be made to the withholding agent unless the amount of such tax was actually withheld by the with-

SEC. 144. PAYMENT OF CORPORATION INCOME TAX AT SOURCE.

holding agent.

In the case of foreign corporations subject to taxation under this title not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 143 a tax equal to 1334 per centum, and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: Provided, That in the case of interest described in subsection (a) of that section (relating to tax-free covenant bonds) the deduction and withholding shall be at the rate specified in such

(a) Any person required under this title to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this title, who willfully fails to pay such tax, make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than \$10,000, or imprisoned for not more than one year, or both, together with the costs

and pay over any tax imposed by this title, who willfully fails to PAYMENTS—Contact collect or truthfully account for and pay over such tax, and any person who willfully attempts in any manner to evade or defeat any tax imposed by this title or the payment thereof shall in all. tion to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than \$10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution.

(c) The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partner- acts. ship, who as such officer, employee, or member is under a duty to

perform the act in respect of which the violation occurs.

SEC. 146. CLOSING BY COMMISSIONER OF TAXABLE YEAR.

(a) Tax in Jeopardy.—If the Commissioner finds that a taxpayer designs quickly to depart from the United States or to remove his demanded if Commissioner to do any other act tending to prejudice or to render wholly or to partly ineffectual proceedings to collect the tending to prejudice or to render wholly or to be acts projudice collection. partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the Commissioner shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable. In any proceeding in court brought to finding presumpenforce payment of taxes made due and payable by virtue of the provisions of this section the finding of the Commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's

(b) SECURITY FOR PAYMENT.—A taxpayer who is not in default security for Payment. in making any return or paying income, war-profits, or excess-profits tax under any Act of Congress may furnish to the United States, under regulations to be prescribed by the Commissioner, with the approval of the Secretary, security approved by the Commissioner that he will duly make the return next thereafter required to be filed and pay the tax next thereafter required to be paid. The Commissioner may approve and accept in like manner security for return and payment of taxes made due and results. and payment of taxes made due and payable by virtue of the provisions of this section, provided the taxpayer has paid in full all other income, war-profits, or excess-profits taxes due from him under any Act of Congress.

(c) Same—Exemption from Section.—If security is approved and accepted pursuant to the provisions of this section and such bond. further or other security with respect to the tax or taxes covered thereby is given as the Commissioner shall from time to time find necessary and require, payment of such taxes shall not be enforced by any proceedings under the provisions of this section prior to the expiration of the time otherwise allowed for paying such respective taxes.

(d) Citizens.—In the case of a citizen of the United States or of possession of the United States about to depart from the United citizens States the Commissioner may, at his discretion, waive any or all of the requirements placed on the taxpayer by this section.

Punishment for. "Person" liable for

Closing of taxable

Tax in jeopardy.

Notice of finding, etc., to be given.

Security for pay-

Enforcement

going abroad.

Additional tax for violations hereof.

INCOME TAX.
RETURNS AND
PAYMENTS—Conta.
Aliens to furnish taxpaid certificate before a certificate that he has complied with all the obligations imposed

upon him by the income, war-profits, and excess-profits tax laws.

(f) Addition to Tax.—If a taxpayer violates or attempts to violate this section there shall, in addition to all other penalties, be added as part of the tax 25 per centum of the total amount of the tax or deficiency in the tax, together with interest at the rate of 1 per centum a month from the time the tax became due.

Information at SEC. 147. INFORMATION AT SOURCE.

Persons making fixed

payment to others of \$1,000 or more, to render returns thereof.

Exceptions.

(a) PAYMENTS OF \$1,000 OR MORE.—All persons, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, and employers, making payment to another person, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income (other than payments described in section 148(a) or 149), of \$1,000 or more in any taxable year, or, in the case of such payments made by the United States, the officers or employees of the United States having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, shall render a true and accurate return to the Commissioner, under such regulations and in such form and manner and to such extent as may be prescribed by him with the approval of the Secretary, setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment. (b) RETURNS REGARDLESS OF AMOUNT OF PAYMENT.—Such returns

Regardless of Interest on corporation bonds, etc.

Alment.—Such returns amounts, (1) in the case of payments the bonds, etc.

Collecting foreign of foreign countries and interest upon the bonds of and dividends coupons, etc.

exchange.

Name and address of recipient.

(c) RECIPIENT TO FURNISH NAME AND ADDRESS.—When necessary to make effective the provisions of this section the name and address of the recipient of income shall be furnished upon demand of the person paying the income.

of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds

from foreign corporations by persons undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of

Not applicable to Federal securities.

(d) Obligations of United States.—The provisions of this section shall not apply to the payment of interest on obligations of the United States.

Information by cor- SEC. 148. INFORMATION BY CORPORATIONS.

Sworn returns of dividend payments.

(a) DIVIDEND PAYMENTS.—Every corporation subject to the tax imposed by this title shall, when required by the Commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each shareholder, the number of shares owned by him, and the amount of dividends paid to him.

Detailed statement of profits, etc., declared as dividends.

(b) Profits Declared as Dividends.—Every corporation shall, when required by the Commissioner, furnish him a statement of such facts as will enable him to determine the portion of the earnings or profits of the corporation (including gains, profits, and income not taxed) accumulated during such periods as the Commissioner may specify, which have been distributed or ordered to be distributed, respectively, to its shareholders during such taxable

years as the Commissioner may specify.

(c) Accumulated Gains and Profits.—When requested by the Accumulated gains and profits and names, Commissioner, or any collector, every corporation shall forward distributed. to him a correct statement of accumulated gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each.

(d) Compensation of Officers and Employees.—Under regulations prescribed by the Commissioner with the approval of the etc., receiving more Secretary, every corporation subject to taxation under this title than \$15,000 during shall, in its return, submit a list of the names of all officers and employees of such corporation and the respective amounts paid to them during the taxable year of the corporation by the corporation as salary, commission, bonus, or other compensation for personal services rendered, if the aggregate amount so paid to the individual is in excess of \$15,000. The Secretary of the Treasury shall submit Report to an annual report to Congress compiled from the returns made containing the names of, and amounts paid to, each such officer and employee and the name of the paying corporation.

INCOME TAX. RETURNS AND PAYMENTS-Contd.

Returns of brokers.

SEC. 149. RETURNS OF BROKERS.

Every person doing business as a broker shall, when required by business transactions. the Commissioner, render a correct return duly verified under oath, under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe, showing the names of customers for whom such person has transacted any business, with such details as to the profits, losses, or other information which the Commissioner may require, as to each of such customers, as will enable the Commissioner to determine whether all income tax due on profits or gains of such customers has been paid.

SEC. 150. COLLECTION OF FOREIGN ITEMS.

All persons undertaking as a matter of business or for profit the Clicense required for collection of foreign payments of interest or dividends by means pons, etc. of coupons, checks, or bills of exchange shall obtain a license from the Commissioner and shall be subject to such regulations enabling the Government to obtain the information required under this title as the Commissioner, with the approval of the Secretary, shall prescribe; and whoever knowingly undertakes to collect such Punishment for vio-payments without having obtained a license therefor, or without complying with such regulations, shall be guilty of a misdemeanor and shall be fined not more than \$5,000 or imprisoned for not more than one year, or both.

Collection of foreign

Supplement E—Estates and Trusts

SEC. 161. IMPOSITION OF TAX.

(a) Application of Tax.—The taxes imposed by this title upon individuals shall apply to the income of estates or of any kind of property held in trust, including-

(1) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

(2) Income which is to be distributed currently by the fiduciary Periodically distributed. to the beneficiaries, and income collected by a guardian of an infant which is to be held or distributed as the court may direct;

ESTATES TRUSTS. AND

Imposition of tax.

Application of tax.

Trust accumulations.

INCOME TAX.
ESTATES AND
TRUSTS—Contd.
Received during administration.
Discretionary distribution.

computation; payment by fiduciary.

Exceptions.

Post, p. 729. Ante, p. 722.

Net income.

Computation

Deduction without limitation of gifts, etc., under will or trust.

.1nte. p. 690.

Additional tions for current dis-tributions by fiduciary.

Limitation.

Additional deduction for payment made or credited to benefi-ciary, etc.

Normal tax, etc., personal exemptions allowed to heirs, etc.

.4nte, p. 693.

Credits of beneficiary in computing income

(3) Income received by estates of deceased persons during the period of administration or settlement of the estate; and

(4) Income which, in the discretion of the fiduciary, may be

either distributed to the beneficiaries or accumulated.
(b) COMPUTATION AND PAYMENT.—The tax shall be computed upon the net income of the estate or trust, and shall be paid by the fiduciary, except as provided in section 166 (relating to revocable trusts) and section 167 (relating to income for benefit of the grantor). For return made by beneficiary, see section 142.

SEC. 162. NET INCOME.

The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except that-

(a) There shall be allowed as a deduction (in lieu of the deduction for charitable, etc., contributions authorized by section 23 (o)) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in section 23 (o), or is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public

cemetery not operated for profit;

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (c) of this section in the

same or any succeeding taxable year;

(c) In the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year, which is properly paid or credited during To be included in such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary.

Credits against net SEC. 163. CREDITS AGAINST NET INCOME.

(a) CREDITS OF ESTATE OR TRUST.—For the purpose of the normal tax and the surtax the estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 25(b)(1), and, if no part of the income of the estate or trust is included in computing the net income of any legatee, heir, or beneficiary, then in addition the same credits against net income for dividends and interest as are allowed by section 25(a).

(b) Credits of Beneficiary.—If any part of the income of an estate or trust is included in computing the net income of any legatee, heir, or beneficiary, such legatee, heir, or beneficiary shall, for the purpose of the normal tax, be allowed as credits against net income, in addition to the credits allowed to him under section INCOME TAX.

25, his proportionate share of such amounts of dividends and interTRUSTS.—Contd. est specified in section 25(a) as are, under this Supplement, required to be included in computing his net income. Any remaining portion of such amounts specified in section 25(a) shall, for the purtoestate, etc.

Ante, p. 692.

Allowance as creditive to estate, etc. pose of the normal tax, be allowed as credits to the estate or trust.

Different taxable

SEC. 164. DIFFERENT TAXABLE YEARS.

If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under section trust and beneficiary 162(b), to include in computing his net income, shall be based upon differ. 162(b), to include in computing his net income, shall be based upon the income of the estate or trust for any taxable year of the estate or trust (whether beginning on, before, or after January 1, 1934) ending within his taxable year.

SEC. 165. EMPLOYEES' TRUSTS.

A trust created by an employer as a part of a stock bonus, penprofit-sharing trusts, sion, or profit-sharing plan for the exclusive benefit of some or all taxed.

Of his employees to which contribute the profit of the profit sharing trusts, sion, or profit-sharing plan for the exclusive benefit of some or all taxed. of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under section 161, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so on amount received. distributed or made available to the extent that it exceeds the amounts paid in by him. Such distributees shall for the purpose of the normal tax be allowed as credits against net income such part of the amount so distributed or made available as represents the items of dividends and interest specified in section 25(a).

Employees' trusts.

Credits Ante, p. 692.

Revocable trusts.

SEC. 166. REVOCABLE TRUSTS.

Where at any time the power to revest in the grantor title to any computed with grantart of the corpus of the trust is vested part of the corpus of the trust is vested-

(1) in the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, or

(2) in any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, then the income of such part of the trust shall be included in computing the net income of the grantor.

SEC. 167. INCOME FOR BENEFIT OF GRANTOR.

(a) Where any part of the income of a trust—

(1) is, or in the discretion of the grantor or of any person not distribution. When held for future having a substantial adverse interest in the disposition of such part of the income may be, held or accumulated for future distribution to the grantor; or

on to the grantor; or
(2) may, in the discretion of the grantor or of any person not when distributed to grantor.

Application to life insurance premiums. having a substantial adverse interest in the disposition of such

part of the income, be distributed to the grantor; or

(3) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in section 23(0), relating to the so-called "charitable contribution " deduction)

then such part of the income of the trust shall be included in computing the net income of the grantor.

Income for benefit of

Ante, p. 690.

73d CONGRESS. SESS. II. CH. 277. MAY 10, 1934.

INCOME TAX.
ESTATES AND
TRUSTS—Contd.
"In the discretion of the discretion of the grantor" defined the grantor" defined conjunction with any person not having a substantial adverse interest conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question".

tries, etc.

Taxes of foreign coun- SEC. 168. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF ies, etc. UNITED STATES.

Allowance ag against

Ante, p. 718.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as credit against the tax of the beneficiary of an estate or trust to the extent provided in section 131.

PARTNERSHIPS.

Supplement F-Partnerships

SEC. 181. PARTNERSHIP NOT TAXABLE.

Individual liability

Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity.

Tax of partners.

SEC. 182. TAX OF PARTNERS.

Distributive share included in net income.

There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year.

Partnership income.

SEC. 183. COMPUTATION OF PARTNERSHIP INCOME.

Computation of.

The net income of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

income.

Credits against net SEC. 184. CREDITS AGAINST NET INCOME.

Additional, from partnership exemptions.

The partner shall, for the purpose of the normal tax, be allowed as a credit against his net income, in addition to the credits allowed to him under section 25, his proportionate share of such amounts (not in excess of the net income of the partnership) of dividends and interest specified in section 25(a) as are received by the partnership.

Earned income.

Ante, p. 692.

SEC. 185. EARNED INCOME.

Determination of.

In the case of the members of a partnership the proper part of each share of the net income which consists of earned income shall be determined under rules and regulations to be prescribed by the Commissioner with the approval of the Secretary and shall be separately shown in the return of the partnership.

Foreign, etc., taxes.

SEC. 186. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

Credit for, allowed Ante, p. 718.

The amount of income, war-profits, and excess-profits taxes imposed by foreign countries or possessions of the United States shall be allowed as a credit against the tax of the member of a partnership to the extent provided in section 131.

Partnership returns. SEC. 187. PARTNERSHIP RETURNS.

Sworn statement of gross income, etc.

Every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

SEC. 188. DIFFERENT TAXABLE YEARS OF PARTNER AND PART-NERSHIP.

(a) GENERAL RULE.—If the taxable year of a partner is different from that of the partnership, the distributive share of the net income after differs from that of the partnership to be included in computing the net income of that of partnership. of the partnership to be included in computing the net income of the partner for his taxable year shall be based upon the net income of the partnership for any taxable year of the partnership (whether beginning on, before, or after January 1, 1934) ending within the taxable year of the partner.

(b) PARTNERSHIP YEARS BEGINNING IN 1933.—For the purpose of computing the net income of a partner for a taxable year beginning in 1933.—Computation under after December 31, 1933, the partnership net income for any taxable vol. 47, pp. 191, 223. year of the partnership beginning before January 1, 1934, shall be computed under the Revenue Act of 1932, without regard to sections 101 and 186 thereof (relating to capital net gain and capital net loss) but as if section 117 of this Act (except subsection (d) thereof)

had formed a part of Title I of the Revenue Act of 1932.

INCOME TAX. PARTNERSHIPS-

Contd.

Ante, p. 714.

Supplement G—Insurance Companies

SEC. 201. TAX ON LIFE INSURANCE COMPANIES.

ance company" means an insurance company engaged in the business of issuing life insurance and appuity contract / tracts of combined life, health, and accident insurance), the reserve funds of which held for the fulfillment of such contracts comprise

more than 50 per centum of its total reserve funds.

(b) RATE OF TAX.—In lieu of the tax imposed by section 13, incomes there shall be levied, collected, and paid for each taxable year upon Ante, the net income of every life insurance company a tax as follows:

(1) In the case of a domestic life insurance company, 13% per centum of the amount of its net income in excess of the credit provided in subsection (c) of this section;

(2) In the case of a foreign life insurance company, 133/4 per centum of the amount of its net income from sources within the United States in excess of the credit provided in subsection (c) of this section.

(c) For the purpose only of the tax imposed by this section poration there shall be allowed as a credit against net income (or, in the case of a foreign life insurance company, against net income from sources within the United States) the amount received as interest upon obligations of the United States or of corporations organized under Act of Congress which is allowed to an individual as a credit for purposes of normal tax by section 25(a)(2) or (3). In the case Ante, p. 692.

of a foreign life insurance company the credit shall not exceed Foreign companies, limitation. an amount which bears the same ratio to the amount otherwise allowed as a credit as the reserve funds required by law and held by it at the end of the taxable year upon business transacted within the United States is of the reserve funds held by it at the end of the taxable year upon all business transacted.

SEC. 202. GROSS INCOME OF LIFE INSURANCE COMPANIES.

(a) In the case of a life insurance company the term "gross income" means the gross amount of income received during the taxable year from interest, dividends, and rents.

(b) The term "reserve funds required by law" includes, in the "Reserve funds recase of assessment insurance, sums actually deposited by any company or association with State or Territorial officers pursuant to law as guaranty or reserve funds, and any funds maintained under

INSURANCE COMPANIES.

Tax on life insurance companies.

Rate of tax on net Ante, p. 686.

Domestic.

Foreign.

Credits allowed cor-

Interest on U.S. secu-

Gross income, life in-surance companies.

"Gross income" de-

Application of.

INCOME TAX.
INSURANCE
COMPANIES— the charter or articles of incorporation of the company or association of PANIES— tion exclusively for the payment of claims arising under certificates contd. tion exclusively for the payment of claims arising under certificates of membership or policies issued upon the assessment plan and not subject to any other use.

Net income.

Deductions from.

Tax-free interest. Ante, p. 687.

Reserved funds required by law.

Policies of combined insurance. Weekly payment

Reserves not re-quired by law.

Dividends from domestic corporations.

Past. p. 738.

Reserves for deferred dividends.

Investment expenses. Limitation on deduc-

Realty, etc., taxes.

Exception.

If tax paid on share-holder's interest.

Property depreciation.

Interest on indebtedness; exception.

SEC. 203. NET INCOME OF LIFE INSURANCE COMPANIES.

(a) GENERAL RULE.—In the case of a life insurance company the term "net income" means the gross income less—
(1) Tax-free interest.—The amount of interest received dur-

ing the taxable year which under section 22(b)(4) is excluded

from gross income;

(2) Reserve funds.—An amount equal to 4 per centum of the mean of the reserve funds required by law and held at the beginning and end of the taxable year, except that in the case of any such reserve fund which is computed at a lower interest assumption rate, the rate of 33/4 per centum shall be substituted for 4 per centum. Life insurance companies issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan, continuing for life and not subject to cancellation, shall be allowed, in addition to the above, a deduction of 3¾ per centum of the mean of such reserve funds (not required by law) held at the beginning and end of the taxable year, as the Commissioner finds to be necessary for the protection of the holders of such policies only;

(3) DIVIDENDS.—The amount received as dividends from a domestic corporation which is subject to taxation under this title, other than a corporation entitled to the benefits of section 251, and other than a corporation organized under the China Trade Act,

1922

(4) Reserve for dividends.—An amount equal to 2 per centum of any sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five years from the date of the policy

(5) Investment expenses.—Investment expenses paid during the taxable year: *Provided*, That if any general expenses are in part assigned to or included in the investment expenses, the total deduction under this paragraph shall not exceed one-fourth of 1 per centum of the book value of the mean of the invested assets

held at the beginning and end of the taxable year;

(6) REAL ESTATE EXPENSES.—Taxes and other expenses paid during the taxable year exclusively upon or with respect to the real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed, and not including any amount paid out for new buildings, or for permanent improvements or betterments made to increase the value of any property. The deduction allowed by this paragraph shall be allowed in the case of taxes imposed upon a shareholder of a company upon his interest as shareholder, which are paid by the company without reimbursement from the shareholder, but in such cases no deduction shall be allowed the shareholder for the amount of such taxes;

(7) Depreciation.—A reasonable allowance, as provided in section 23(1), for the exhaustion, wear and tear of property, includ-

ing a reasonable allowance for obsolescence; and

(8) Interest.—All interest paid within the taxable year on its indebtedness, except on indebtedness incurred or continued to purchase or carry obligations (other than obligations of the United States issued after September 24, 1917, and originally subscribed for by the taxpayer) the interest upon which is wholly

exempt from taxation under this title.

section (a) (6) or (7) of this section on account of any real estate owned and occupied in whole or in part by a life insurance company, shall be limited to an amount which bears the same ratio to such deduction (computed without record to this late). (b) RENTAL VALUE OF REAL ESTATE.—The deduction under subto such deduction (computed without regard to this subsection) as the rental value of the space not so occupied bears to the rental value of the entire property.

(c) Foreign Life Insurance Companies.—In the case of a forsign life insurance company the amount of its net income for any Net income on business in United States, shall be the ness in United States. taxable year from sources within the United States shall be the same proportion of its net income for the taxable year from sources within and without the United States, which the reserve funds required by law and held by it at the end of the taxable year upon business transacted within the United States is of the reserve funds held by it at the end of the taxable year upon all business transacted.

INCOME TAX.
INSURANCE
COMPANIES—
Contd.

Rental value of real

SEC. 204. INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL. Insurance companies other than life or mutual.

(a) Imposition of Tax.—In lieu of the tax imposed by section 13 Tax imposed

Tax imposed of this title, there shall be levied, collected, and paid for each taxable year upon the net income of every insurance company (other than a life or mutual insurance company) a tax as follows:

(1) In the case of such a domestic insurance company, 133/4 per centum of the amount of its net income in excess of the credit

provided in subsection (f) of this section;

(2) In the case of such a foreign insurance company, 13% per centum of the amount of its net income from sources within the United States in excess of the credit provided in subsection (f) of this section.

(b) Definition of Income, Etc.—In the case of an insurance

company subject to the tax imposed by this section-

(1) Gross income.—"Gross income" means the sum of (A) the combined gross amount earned during the taxable year, from investment income and from underwriting income as provided in this subsection, computed on the basis of the underwriting and investment exhibit of the annual statement approved by the National Convention of Insurance Commissioners, and (B) gain during the taxable year from the sale or other disposition of property, and (C) all other items constituting gross income under section 22;

(2) NET INCOME.—"Net income" means the gross income as defined in paragraph (1) of this subsection less the deductions

allowed by subsection (c) of this section;

(3) INVESTMENT INCOME.—"Investment income" means the "Investment income." gross amount of income earned during the taxable year from interest, dividends, and rents, computed as follows:

To all interest, dividends and rents received during the taxable year, add interest, dividends and rents due and accrued at the end of the taxable year, and deduct all interest, dividends and

rents due and accrued at the end of the preceding taxable year; (4) Underwriting income.—"Underwriting income" means the premiums earned on insurance contracts during the taxable

year less losses incurred and expenses incurred;

(5) Premiums earned on insurance contracts during the taxable year" means an amount computed as follows:

Ante, p. 686

Domestic companies.

Foreign companies.

Definition of terms.

"Gross income."

"Net income."

"Underwriting in-

Premiums earned.

INCOME TAX.
INSURANCE
COMPANIES—
Contd.
Computation of.

"Losses incurred."

Computation of.

"Expenses in-

Computation of.

Net income.

Deductions allowed.

Business expenses.

Ante, p 688.

Interest. Taxes.

Losses.

Losses from sales; limitation. Ante, p. 715

Worthless debts.

Dividends from cor-

Exempt interest. Ante, p. 687.

Exhaustion, etc., of

Deductions allowed foreign corporations for United States business. *Post*, p. 737.

Duplications prohib-Computations.

Credits against net income.

Ante, p. 692.

From the amount of gross premiums written on insurance contracts during the taxable year, deduct return premiums and premiums paid for reinsurance. To the result so obtained add unearned premiums on outstanding business at the end of the preceding taxable year and deduct unearned premiums on out-

standing business at the end of the taxable year;
(6) Losses incurred "Losses incurred" means losses incurred during the taxable year on insurance contracts, computed as

follows:

To losses paid during the taxable year, add salvage and reinsurance recoverable outstanding at the end of the preceding taxable year, and deduct salvage and reinsurance recoverable outstanding at the end of the taxable year. To the result so obtained add all unpaid losses outstanding at the end of the taxable year and deduct unpaid losses outstanding at the end of the preceding taxable year;
(7) Expenses incurred. Expenses incurred.

means all expenses shown on the annual statement approved by the National Convention of Insurance Commissioners, and shall be computed

as follows:

To all expenses paid during the taxable year add expenses unpaid at the end of the taxable year and deduct expenses unpaid at the end of the preceding taxable year. For the purpose of computing the net income subject to the tax imposed by this section there shall be deducted from expenses incurred as defined in this paragraph all expenses incurred which are not allowed as deductions by subsection (c) of this section.
(c) Deductions Allowed.—In computing the net income of an

insurance company subject to the tax imposed by this section there shall be allowed as deductions:

(1) All ordinary and necessary expenses incurred, as provided in section 23(a);

(2) All interest as provided in section 23(b);
(3) Taxes as provided in section 23(c);

(4) Losses incurred as defined in subsection (b)(6) of this section:

(5) Subject to the limitation contained in section 117(d), losses sustained during the taxable year from the sale or other disposition of property;

(6) Bad debts in the nature of agency balances and bills receiv-

able ascertained to be worthless and charged off within the

taxable year;
(7) The amount received as dividends from corporations as provided in section 23(p);

(8) The amount of interest earned during the taxable year which under section 22(b)(4) is excluded from gross income;

(9) A reasonable allowance for the exhaustion, wear and tear of

property, as provided in section 23(1).

(d) DEDUCTIONS OF FOREIGN CORPORATIONS.—In the case of a foreign corporation the deductions allowed in this section shall be allowed to the extent provided in Supplement I.

(e) Double Deductions.—Nothing in this section shall be con-

strued to permit the same item to be twice deducted.

(f) For the purpose only of the tax imposed by this section there shall be allowed as a credit against net income (or, in the case of a foreign corporation, against net income from sources within the United States) the amount received as interest upon obligations of the United States or of corporations organized under Act of Congress which is allowed to an individual as a credit for purposes of normal tax by section 25(a) (2) or (3).

INCOME TAX.
INSURANCE
COMPANIES—
Contd.

Foreign, etc., taxes.

SEC. 205. TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES.

imposed by foreign countries or possessions of the United States companies shall be allowed as a credit against the tax of a district of tax shall be allowed as a credit against the tax of a domestic insurance company subject to the tax imposed by section 201 or 204, to the extent provided in the case of a domestic corporation in section 131, and in such cases "net income" as used in that section means the net income as defined in this Supplement.

Ante, p. 731. Ante, p. 718.

SEC. 206. COMPUTATION OF GROSS INCOME.

The gross income of insurance companies subject to the tax imposed by section 201 or 204 shall not be determined in the manner provided in section 119.

Gross income Computation. Aute, p. 731. Ante, p. 716.

SEC. 207. MUTUAL INSURANCE COMPANIES OTHER THAN LIFE.

(a) Application of Title.—Mutual insurance companies, other Taxable as other corthan life insurance companies, shall be taxable in the same manner porations as other corporations, except as hereinafter provided in this section.

include in gross income the gross premiums collected and received by them less amounts paid for reinsurance.

them less amounts paid for reinsurance.

(c) Deductions.—In addition to the deductions allowed to corporations by section 23 the following deductions to insurance companies shall also be allowed, unless otherwise allowed-

(1) MUTUAL INSURANCE COMPANIES OTHER THAN LIFE INSUR-Mutual ANCE.—In the case of mutual insurance companies other than life insurance companies

(A) the net addition required by law to be made within the Addition to reserve taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and

(B) the sums other than dividends paid within the taxable contracts.

year on policy and annuity contracts.

(2) MUTUAL MARINE INSURANCE COMPANIES.—In the case of mutual marine insurance companies, in addition to the deductions surance companies. Repayments to polallowed in paragraph (1) of this subsection, unless otherwise iey holders. allowed, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the payment thereof;

(3) MUTUAL INSURANCE COMPANIES OTHER THAN LIFE AND Companies other MARINE.—In the case of mutual insurance companies (including than life and marine. Premium deposits reinterinsurers and reciprocal underwriters, but not including mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves.

Mutual insurance companies other than

Additional deduc-

Mutual insurance

Policy and annuity

Supplement H-Nonresident Alien Individuals

SEC. 211. GROSS INCOME.

(a) GENERAL RULE.—In the case of a nonresident alien individual States sources only. gross income includes only the gross income from sources within the United States.

NONRESIDENT ALIEN INDIVID-UALS.

Gross income.

INCOME TAX.
NONRESIDENT
ALIEN INDIVIDALIEN INDIVIDUALS—Contd.
Earnings from for the operation of a ship or ships documented under the laws of a foreign ship operations foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States. the United States and to corporations organized in the United States. shall not be included in gross income and shall be exempt from taxation under this title.

Deductions.

SEC. 212. DEDUCTIONS.

Allowed only if connected with income from United States sources. States

(a) GENERAL RULE.—In the case of a nonresident alien individual the deductions shall be allowed only if and to the extent that they are connected with income from sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined as provided in section 119, under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Ante, p. 716.

(b) Losses.

Losses.
Not connected with trade or business.
Ante, p. 689.

(1) The deduction, for losses not connected with the trade or business if incurred in transactions entered into for profit, allowed by section 23(e) (2) shall be allowed whether or not connected with income from sources within the United States, but only if the profit, if such transaction had resulted in a profit, would be taxable under this title.

Casualty, etc., losses not connected with husiness.

(2) The deduction for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 23(e)(3), shall be allowed whether or not connected with income from sources within the United States, but only if

the loss is of property within the United States.

(c) Charitable, Etc., Contributions.—The so-called "charitable contribution" deduction allowed by section 23(o) shall be allowed whether or not connected with income from sources within the United States, but only as to contributions or gifts made to domestic corporations, or to community chests, funds, or foundations, created in the United States, or to the vocational rehabilitation fund.

Charitable, etc., contributions allowed only to domestic corporations, etc.

Ante, p. 690.

Credits against net SEC. 213. CREDITS AGAINST NET INCOME.

Personal exemption. .4nte, p. 693.

income.

In the case of a nonresident alien individual the personal exemption allowed by section 25(b) (1) of this title shall be only \$1,000. Dependents, if from The credit for dependents allowed by section 25(b)(2) shall not be contiguous country. allowed in the case of a nonresident alien individual unless he is a resident of a contiguous country.

Allowance deductions SEC, 214. ALLOWANCE OF DEDUCTIONS AND CREDITS.

tions and credits.

(a) RETURN TO CONTAIN INFORMATION.—A nonresident alien individual shall receive the benefit of the deductions and credits allowed to him in this title only by filing or causing to be filed with the collector a true and accurate return of his total income received from all sources in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits.

Filing return of total come from United income States sources.

Personal exemption credits, etc., by filing claim with withholding agent.

TAX WITHHELD AT SOURCE.—The benefit of the personal (b) exemption and credit for dependents, may, in the discretion of the Commissioner and under regulations prescribed by him with the approval of the Secretary, be received by a nonresident alien individual entitled thereto, by filing a claim therefor with the withholding agent.

SEC. 215. CREDITS AGAINST TAX.

CC. 215. CREDITS AGAINST TAX.

INCOME TAX.
NONRESIDENT
A nonresident alien individual shall not be allowed the credits ALIEN INDIVIDUALS—Contd. against the tax for taxes of foreign countries and possessions of the United States allowed by section 131.

Credits against tax. No allowance for, of foreign governments. Ante, p. 718.

SEC. 216. RETURNS.

In the case of a nonresident alien individual the return, in lieu of the time prescribed in section 53(a) (1), shall be made on or before the fifteenth day of the sixth month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then on or before the fifteenth day of June.

Returns. Time for filing. Ante, p. 697

SEC. 217. PAYMENT OF TAX.

(a) Time of Payment.—In the case of a nonresident alien individual the total amount of tax imposed by this title shall be paid, in lieu of the time prescribed in section 56(a), on the fifteenth day of June following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the sixth month following the close of the fiscal year.

(b) Withholding at Source.—For withholding at source of tax

on income of nonresident aliens, see section 143.

Payment of tax

Time designated.

Ante, p. 697.

Withholding at Ante, p. 723.

Supplement I—Foreign Corporations

FOREIGN COR-

Gross income.

SEC. 231. GROSS INCOME.

(a) GENERAL RULE.—In the case of a foreign corporation gross Un income includes only the gross income from sources within the United States.

(b) Ships Under Foreign Flag.—The income of a foreign Ships under flag, conditions. corporation, which consists exclusively of earnings derived from the operation of a ship or ships documented under the laws of a foreign country which grants an equivalent exemption to citizens of the United States and to corporations organized in the United States, shall not be included in gross income and shall be exempt from taxation under this title.

United States sources

Ships under foreign

SEC. 232. DEDUCTIONS.

In the case of a foreign corporation the deductions shall be allowed come from United only if and to the extent that they are connected with income from States sources. sources within the United States; and the proper apportionment and allocation of the deductions with respect to sources within and without the United States shall be determined as provided in section 119, under rules and regulations prescribed by the Commissioner with the approval of the Secretary.

Deductions.

Ante, p. 716.

SEC. 233. ALLOWANCE OF DEDUCTIONS AND CREDITS.

A foreign corporation shall receive the benefit of the deductions and credits allowed to it in this title only by filing or causing to come from United be filed with the collector a true and accurate return of its total States sources. income received from all sources in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits.

Allowance of deductions and credits.

SEC. 234. CREDITS AGAINST TAX.

Credits against tax.

Foreign corporations shall not be allowed the credits against the No foreign tax for taxes of foreign countries and possessions of the United States allowed by section 131.

No allowance for, of preign governments Ante, p. 718.

86637°--34---47

INCOME TAX.
FOREIGN CORPORATIONS—Contd.
Returns.
Time for filing.

Ante, p. 697.

Return by agent.

SEC. 235. RETURNS.

In the case of a foreign corporation not having any office or place of business in the United States the return, in lieu of the time prescribed in section 53(a) (1), shall be made on or before the fifteenth day of the sixth month following the close of the fiscal year, or, if the return is made on the basis of the calendar year then on or before the fifteenth day of June. If any foreign corporation has no office or place of business in the United States but has an agent in the United States, the return shall be made by the agent.

Payment of tax.

SEC. 236. PAYMENT OF TAX.

Time specified.

Ante, p. 697.

(a) Time of Payment.—In the case of a foreign corporation not having any office or place of business in the United States the total amount of tax imposed by this title shall be paid, in lieu of the time prescribed in section 56(a), on the fifteenth day of June following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the sixth month following the close of the fiscal year.

(b) WITHHOLDING AT SOURCE.—For withholding at source of tax

Withholding tax at source. Ante, p. 723.

on income of foreign corporations, see section 143.

Foreign companies.

SEC. 237. FOREIGN INSURANCE COMPANIES.

Special provisions.

For special provisions relating to foreign insurance companies, see Supplement G.

Affiliation,

SEC. 238. AFFILIATION.

Foreign corporations.

A foreign corporation shall not be deemed to be affiliated with any other corporation within the meaning of section 141.

POSSESSIONS OF THE UNITED STATES.

Supplement J-Possessions of the United States

Income from sources SEC, 251. INCOME FROM SOURCES WITHIN POSSESSIONS OF UNITED STATES.

Gross income of citi-

(a) GENERAL RULE.—In the case of citizens of the United States or domestic corporations, satisfying the following conditions, gross income means only gross income from sources within the United States

If 80 percent derived om United States

(1) If 80 per centum or more of the gross income of such citizen or domestic corporation (computed without the benefit of this section), for the three-year period immediately preceding the close of the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable) was derived from sources within a possession of the United

(2) If, in the case of such corporation, 50 per centum or more of its gross income (computed without the benefit of this section) for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United

If corporation de-rived 50 percent from business therein. States; or
(3) If, in case of such citizen, 50 per centum or more of his

gross income (computed without the benefit of this section) for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United States either on his own account or as an employee or agent of another.

If citizen derived 50 percent from active business therein,

(b) Amounts Received in United States.—Notwithstanding the provisions of subsection (a) there shall be included in gross income all amounts received by such citizens or corporations within the

Amounts received in United States. Included in gross in-

United States, whether derived from sources within or without the United States.

the United States" does not include the Virgin Islands of the lands.

United States.

(d) Deductions.

(1) Citizens of the United States entitled to the benefits of this same benefits as non-section shall have the same deductions as are allowed by Supple-residents.

The cost of a nonversident alien individual

The cost of a nonversident alien individual

The cost of a nonversident alien individual ment H in the case of a nonresident alien individual.

(2) Domestic corporations entitled to the benefits of this sections.

Ante, p. 737 tion shall have the same deductions as are allowed by Supplement

I in the case of a foreign corporation.

(e) Credits Against Net Income.—A citizen of the United States entitled to the benefits of this section shall be allowed a personal exemption of only \$1,000 and shall not be allowed the credit for

dependents provided in section 25(b)(2).

- (f) ALLOWANCE OF DEDUCTIONS AND CREDITS.—Citizens of the dions and credits. United States and domestic corporations entitled to the benefits of this section shall receive the benefit of the deductions and credits allowed to them in this title only by filing or causing to be filed with the collector a true and accurate return of their total income received from all sources in the United States, in the manner prescribed in this title; including therein all the information which the Commissioner may deem necessary for the calculation of such deductions and credits.
- (g) CREDITS AGAINST TAX.—Persons entitled to the benefits of Credits against tax. No allowance for, of this section shall not be allowed the credits against the tax for taxes foreign countries. of foreign countries and possessions of the United States allowed by section 131.
- (h) Affiliation.—A corporation entitled to the benefits of this (n) AFFILIATION.—A corporation entitled to the benefits of this section shall not be deemed to be affiliated with any other corporations.

 Ambitation. Applicability to corporation within the meaning of section 141 tion within the meaning of section 141.

SEC. 252. CITIZENS OF POSSESSIONS OF UNITED STATES.

(a) Any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.

(b) Nothing in this section shall be construed to alter or amend Virgin Isla the provisions of the Act entitled "An Act making appropriations not affected." for the naval service for the fiscal year ending June 30, 1922, and for other purposes," approved July 12, 1921, relating to the imposition of income taxes in the Virgin Islands of the United States.

Supplement K—China Trade Act Corporations

SEC. 261. CREDIT AGAINST NET INCOME.

(a) ALLOWANCE OF CREDIT.—For the purpose only of the tax proportion. imposed by section 13 there shall be allowed, in the case of a corporation organized under the China Trade Act, 1922, in addition to the credit provided in section 26, a credit against the net income of an amount equal to the proportion of the net income derived from sources within China (determined in a similar manner to that provided in section 119) which the par value of the shares of stock of the corporation owned on the last day of the taxable year by

INCOME TAX.
POSSESSIONS OF
UNITED STATES—

Deductions.

corpora-

Credits against net income.
Personal exemption.
Ante, p. 693.

Filing return of total

Ante, p. 718.

Affiliation.

Citizens of Possessions of United States. Taxation of.

Virgin Islands. Payment of taxes in Vol. 42, p. 123.

CHINA TRADE ACT CORPORA-TIONS.

Credit against net

Ante, p. 693.

Ante, p. 716.

Proviso. Limitation. Ante, p. 686.

Special dividend.

Additional, to all other payments.

Proportionate distribution to stock owned.

Definition of stock

ownership.

Definition of "China".

Credits against tax. No allowance for, of foreign countries.

Ante, p. 718.

Not applicable to corporations hereof.

ASSESSMENT AND COLLECTION OF DEFICIENCIES.

"Deficiency" de-

fined.

Affiliation.

CHINA TRADE (1) persons resident in China, the United States, or possessions of ACT CORPORA- the United States, and (2) individual citizens of the United States TIONS—Contd.

Or China wherever resident beers to the par value of the whole or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date: Provided, That in no case shall the amount by which the tax imposed by section 13 is diminished by reason of such credit exceed the amount of the special dividend certified under subsection (b) of this section.

(b) Special Dividend.—Such credit shall not be allowed unless Credit subject to special dividend to resit the Secretary of Commerce has certified to the Commissioner-dents of China. etc.

(1) The amount which during the year ending on the

(1) The amount which, during the year ending on the date fixed by law for filing the return, the corporation has distributed as a special dividend to or for the benefit of such persons as on the last day of the taxable year were resident in China, the United States, or possessions of the United States, or were individual citizens of the United States or China, and owned shares of stock of the corporation;

(2) That such special dividend was in addition to all other amounts, payable or to be payable to such persons or for their benefit, by reason of their interest in the corporation; and
(3) That such distribution has been made to or for the benefit

of such persons in proportion to the par value of the shares of stock of the corporation owned by each; except that if the corporation has more than one class of stock, the certificates shall contain a statement that the articles of incorporation provide a method for the apportionment of such special dividend among such persons, and that the amount certified has been distributed in accordance with the method so provided.

(c) OWNERSHIP OF STOCK.—For the purposes of this section shares of stock of a corporation shall be considered to be owned by the person in whom the equitable right to the income from such shares is in good faith vested. (d) Definition of China.—As used in this section the term

China" shall have the same meaning as when used in the China

Trade Act, 1922. SEC. 262. CREDITS AGAINST THE TAX.

A corporation organized under the China Trade Act, 1922, shall not be allowed the credits against the tax for taxes of foreign countries and possessions of the United States allowed by section 131.

SEC. 263. AFFILIATION.

A corporation organized under the China Trade Act, 1922, shall not be deemed to be affiliated with any other corporation within the meaning of section 141.

Income of sharehold- SEC. 264. INCOME OF SHAREHOLDERS.

Exclusion from gross income, p. 712. For exclusion of dividends from gross income, see section 116.

Supplement L—Assessment and Collection of Deficiencies

SEC. 271. DEFINITION OF DEFICIENCY.

As used in this title in respect of a tax imposed by this title deficiency" means-

(a) The amount by which the tax imposed by this title exceeds the amount shown as the tax by the taxpayer upon his return; but the amount so shown on the return shall first be increased by the amounts previously assessed (or collected without assessment) as a

deficiency, and decreased by the amounts previously abated, credited,

refunded, or otherwise repaid in respect of such tax; or

(b) If no amount is shown as the tax by the taxpayer upon his return, or if no return is made by the taxpayer, then the amount by which the tax exceeds the amounts previously assessed (or collected without assessment) as a deficiency; but such amounts previously assessed, or collected without assessment, shall first be decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax.

INCOME TAX.
A SSESSMENT
AND COLLECTION
OF DEFICIENCIES
—Contd.

SEC. 272. PROCEDURE IN GENERAL.

Procedure in general.

(a) Petition to Board of Tax Appeals.—If in the case of any to taxpayer. taxpayer, the Commissioner determines that there is a deficiency in respect of the tax imposed by this title, the Commissioner is authorized to send notice of such deficiency to the taxpayer by registered Within 90 days after such notice is mailed (not counting Sunday or a legal holiday in the District of Columbia as the ninetieth day), the taxpayer may file a petition with the Board of Tax Appeals for a redetermination of the deficiency. No assessment of a deficiency in respect of the tax imposed by this title and no disnotice mailed to taxtraint or proceeding in court for its collection shall be made, begun, payer. or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such 90-day period, nor, if a petition has been filed with the Board, until the decision of the Board has become final. Notwithstanding the provisions of section 3224 of the Revised Statutes the making of such assessment or the beginning of such proceeding or distraint during the time such prohibition is in force

Or petition filed.

Injunction to restrain assessment. R.S., sec. 3224, p. 619.

Exceptions to restrictions. Waivers,

Assessment of defi-

Waiver of restrictions

may be enjoined by a proceeding in the proper court. For exceptions to the restrictions imposed by this subsection, see-(1) Subsection (d) of this section, relating to waivers by the

taxpayer:

(2) Subsection (f) of this section, relating to notifications of mathematical errors appearing upon the face of the return;

(3) Section 273, relating to jeopardy assessments;
 (4) Section 274, relating to bankruptcy and receiverships; and Bankruptcy, etc.,
 (5) Section 1001 of the Revenue Act of 1926, as amended, relat-

ing to assessment or collection of the amount of the deficiency determined by the Board pending court review.

(b) Collection of Deficiency Found by Board.—If the taxpayer ciency.

Assessment of the day and the second of the files a petition with the Board, the entire amount redetermined as the deficiency by the decision of the Board which has become final shall be assessed and shall be paid upon notice and demand from the ciency found by Board. collector. No part of the amount determined as a deficiency by the Commissioner but disallowed as such by the decision of the Board which has become final shall be assessed or be collected by distraint

or by proceeding in court with or without assessment.

(c) FAILURE TO FILE PETITION.—If the taxpayer does not file a Payment on demand if petition not filed. petition with the Board within the time prescribed in subsection (a) of this section, the deficiency, notice of which has been mailed to the taxpayer, shall be assessed, and shall be paid upon notice and

demand from the collector.

(d) Waiver of Restrictions.—The taxpayer shall at any time waiver of by taxpayer have the right, by a signed notice in writing filed with the Commissioner, to waive the restrictions provided in subsection (a) of this section on the assessment and collection of the whole or any part of the deficiency.

(e) Increase of Deficiency After Notice Mailed.—The Board after notice mailed. shall have jurisdiction to redetermine the correct amount of the deficiency even if the amount so redetermined is greater than the

Condition.

Restriction hereafter on determining defi-ciency after notice.

Exception.

Post, p. 750. Credits or refunds.

Jurisdiction o other taxable years.

Limitation.

Final decisions of Board. Vol. 41, p. 110.

Prorating of defi-ciency to installments.

Extension for pay-ments allowed, to avoid undue hardship.

Bond required.

INCOME TAX. ASSESSMENT amount of the deficiency, notice of which has been mailed to the AND COLLECTION taxpayer, and to determine whether any penalty, additional amount OF DEFICIEN or addition to the tax should be assessed—if claim therefor is taxpayer, and to determine whether any penalty, additional amount or addition to the tax should be assessed—if claim therefor is asserted by the Commissioner at or before the hearing or a rehearing.

(f) FURTHER DEFICIENCY LETTERS RESTRICTED.—If the Commissioner has mailed to the taxpayer notice of a deficiency as provided in subsection (a) of this section, and the taxpayer files a petition with the Board within the time prescribed in such subsection, the Commissioner shall have no right to determine any additional deficiency in respect of the same taxable year, except in the case of fraud, and except as provided in subsection (e) of this section, relating to assertion of greater deficiencies before the Board, or in Post, p. 743.
Mathematical error section 273(c), relating to the making of jeopardy assessments. If mot considered a notice the taxpayer is notified that, on account of a mathematical error of deficiency. appearing upon the face of the return, an amount of tax in excess of that shown upon the return is due, and that an assessment of the tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical error, such notice shall not be considered (for the purposes of this subsection, or of subsection (a) of this section, prohibiting assessment and collection until notice of deficiency has been mailed, or of section 322(c), prohibiting credits or refunds after petition to the Board of Tax Appeals) as a notice of a deficiency, and the taxpayer shall have no right to file a petition with the Board based on such notice, nor shall such assessment or collection be prohibited by the provisions of subsection (a) of this section.

(g) JURISDICTION OVER OTHER TAXABLE YEARS.—The Board in redetermining a deficiency in respect of any taxable year shall consider such facts with relation to the taxes for other taxable years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other taxable year has been overpaid

or underpaid.

(h) Final Decisions of Board.—For the purposes of this title the date on which a decision of the Board becomes final shall be determined according to the provisions of section 1005 of the Revenue

(i) Proparing of Deficiency to Installments.—If the taxpayer has elected to pay the tax in installments and a deficiency has been assessed, the deficiency shall be prorated to the four installments. Except as provided in section 273 (relating to jeopardy assessments), that part of the deficiency so prorated to any installment the date for payment of which has not arrived, shall be collected at the same time as and as part of such installment. That part of the deficiency so prorated to any installment the date for payment of which has arrived, shall be paid upon notice and demand from the collector.

(j) Extension of Time for Payment of Deficiencies.—Where it is shown to the satisfaction of the Commissioner that the payment of a deficiency upon the date prescribed for the payment thereof will result in undue hardship to the taxpayer the Commissioner, with the approval of the Secretary (except where the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax), may grant an extension for the payment of such deficiency or any part thereof for a period not in excess of eighteen months, and, in exceptional cases, for a further period not in excess of twelve months. If an extension is granted, the Commissioner may require the taxpayer to furnish a bond in such amount, not exceeding double the amount of the deficiency,

and with such sureties, as the Commissioner deems necessary, conditioned upon the payment of the deficiency in accordance with the AND COLLECTION OF DEFICIENCY.—In the absence of notice to the Commissioner under section 312(a) of the existence of a deficiency.

INCOME TAX.
ASSESSMENT
OF DEFICIENCY
OF DEFICIENCY
AND CLES—Contd.
Address for notice of deficiency.

Address for notice of deficiency.

Part 7.750

fiduciary relationship, notice of a deficiency in respect of a tax imposed by this title, if mailed to the taxpayer at his last known address, shall be sufficient for the purposes of this title even if such taxpayer is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

SEC. 273. JEOPARDY ASSESSMENTS.

(a) AUTHORITY FOR MAKING.—If the Commissioner believes that Deficiency immethe assessment or collection of a deficiency will be jeopardized by ardized by delay. delay, he shall immediately assess such deficiency (together with all interest, additional amounts, or additions to the tax provided for by law) and notice and demand shall be made by the collector for the payment thereof.

(b) Deficiency Letters.—If the jeopardy assessment is made before any notice in respect of the tax to which the jeopardy assessment relates has been mailed under section 272(a), then the Commissioner shall mail a notice under such subsection within sixty days

after the making of the assessment.

(c) Amount Assessable Before Decision of Board.—The jeop- Amount assessable ardy assessment may be made in respect of a deficiency greater or Board. less than that notice of which has been mailed to the taxpayer, despite the provisions of section 272(f) prohibiting the determination of additional deficiencies, and whether or not the taxpayer has theretofore filed a petition with the Board of Tax Appeals. The on notice. Commissioner shall notify the Board of the amount of such assess ment, if the petition is filed with the Board before the making of the assessment or is subsequently filed, and the Board shall have jurisdiction to redetermine the entire amount of the deficiency and of all amounts assessed at the same time in connection therewith.

(d) Amount Assessable After Decision of Board.—If the jeop- Amount assessable after decision of Board. ardy assessment is made after the decision of the Board is rendered such assessment may be made only in respect of the deficiency deter-

mined by the Board in its decision.

(e) Expiration of Right to Assess.—A jeopardy assessment Disallowed after Board's final decision, may not be made after the decision of the Board has become final etc. or after the taxpayer has filed a petition for review of the decision

of the Board.

(f) BOND TO STAY COLLECTION.—When a jeopardy assessment has Bond to stay collecbeen made the taxpayer, within 10 days after notice and demand from the collector for the payment of the amount of the assessment, may obtain a stay of collection of the whole or any part of the amount of the assessment by filing with the collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties, as the collector deems necessary, conditioned upon the payment of so much of the amount, the collection of which is stayed by the bond, as is not abated by a decision of the Board which has become final, together with interest thereon as provided in section 297.

(g) SAME—FURTHER CONDITIONS.—If the bond is given before if bond given before taxpayer has filed his petition with the Board under section filing petition. 272(a), the bond shall contain a further condition that if a petition is not filed within the period provided in such subsection, then the amount the collection of which is stayed by the bond will be paid on notice and demand at any time after the expiration of

Jeopardy assessments.

Deficiency letters. Notice to be mailed.

Conditions. Post, p. 748.

Stay of collection of part covered by Bond.

Collection of unpaid

When decision of Board final.

Credit or refund. Post, p. 750.

Collection of greater assessment.

No other abatement claim to be filed.

ceiverships.

Immediate ment of tax deficiency

INCOME TAX ASSESSMENT such period, together with interest thereon at the rate of 6 per AND COLLECTION centum per annum from the date of the jeopardy notice and demand OF DEFICIEN to the date of notice and demand under this subsection.

(h) WAIVER OF STAY.—Upon the filing of the bond the collection of so much of the amount assessed as is covered by the bond shall Effect of waiver of be stayed. The taxpayer shall have the right to waive such stay at any time in respect of the whole or any part of the amount covered by the bond, and if as a result of such waiver any part of the amount covered by the bond is paid, then the bond shall, at the request of the taxpayer, be proportionately reduced. Board determines that the amount assessed is greater than the amount which should have been assessed, then when the decision of the Board is rendered the bond shall, at the request of the taxpayer, be proportionately reduced.

(i) Collection of Unpaid Amounts.—When the petition has been filed with the Board and when the amount which should have been assessed has been determined by a decision of the Board which has become final, then any unpaid portion, the collection of which has been stayed by the bond, shall be collected as part of the tax upon notice and demand from the collector, and any remaining portion of the assessment shall be abated. If the amount already collected exceeds the amount determined as the amount which should have been assessed, such excess shall be credited or refunded to the taxpayer as provided in section 322, without the filing of claim therefor. If the amount determined as the amount which should have been assessed is greater than the amount actually assessed, then the difference shall be assessed and shall be collected as part of the tax upon notice and demand from the collector.

(j) CLAIMS IN ABATEMENT.—No claim in abatement shall be filed in respect of any assessment in respect of any tax imposed by this title.

Bankruptcy and re- SEC. 274. BANKRUPTCY AND RECEIVERSHIPS.

(a) IMMEDIATE ASSESSMENT.—Upon the adjudication of bankruptcy of any taxpayer in any bankruptcy proceeding or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of any State or Territory or of the District of Columbia, any deficiency (together with all interest, additional amounts, or additions to the tax provided for by law) determined by the Commissioner in respect of a tax imposed by this title upon such taxpayer shall, despite the restrictions imposed by section 272(a) upon assessments be immediately assessed if such deficiency has not theretofore been assessed in accordance Notice of adjudica with law. In such cases the trustee in bankruptcy or receiver shall give notice in writing to the Commissioner of the adjudication of bankruptcy or the appointment of the receiver, and the running of the statute of limitations on the making of assessments shall be suspended for the period from the date of adjudication in bankruptcy or the appointment of the receiver to a date 30 days after the date upon which the notice from the trustee or receiver is received by the Commissioner; but the suspension under this sentence Presentation of claim. shall in no case be for a period in excess of two years. Claims for the deficiency and such interest, additional amounts and additions to the tax may be presented, for adjudication in accordance with law, to the court before which the bankruptcy or receivership proceeding is pending, despite the pendency of proceedings for the redetermination of the deficiency in pursuance of a petition to the Board: but no petition for any such redetermination shall be filed

with the Board after the adjudication of bankruptcy or the appoint-

ment of the receiver.

(b) Unpaid Claims.—Any portion of the claim allowed in such bankruptcy or receivership proceeding which is unpaid shall be paid by the taxpayer upon notice and demand from the collector after the termination of such proceeding, and may be collected by distraint or proceeding in court within six years after termination of such proceeding. Extensions of time for such payment may be had in the same manner and subject to the same provisions and limita- p 748. tions as are provided in section 272(j) and section 296 in the case of a deficiency in a tax imposed by this title.

INCOME TAX.
ASSESSMENT
AND COLLECTION
OF DEFICIENCIES—Contd.
Unpaid claims.

Collection of.

SEC. 275. PERIOD OF LIMITATION UPON ASSESSMENT AND COL-LECTION.

Period of limitation upon assessment and collection

Except as provided in section 276—

(a) GENERAL RULE.—The amount of income taxes imposed by this title shall be assessed within three years after the return was filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of such period.

(b) REQUEST FOR PROMPT ASSESSMENT.—In the case of income received during the lifetime of a decedent, or by his estate during the period of administration, or by a corporation, the tax shall be sentatives. assessed, and any proceeding in court without assessment for the collection of such tax shall be begun, within eighteen months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by the corporation, but not after the expiration of three years after the return was filed. This subsection shall not apply in the case of a corporation unless-

(1) Such written request notifies the Commissioner that the Dissolution contemplated. corporation contemplates dissolution at or before the expiration

of such 18 months' period; and
(2) The dissolution is in good faith begun before the expiration of such 18 months' period; and

(3) The dissolution is completed.

(c) Omission from Gross Income.—If the taxpayer omits from heleted.

Corporation making no return.

Assessment in five gross income an amount properly includible therein which is in Assessment in five excess of 25 per centum of the amount of gross income stated in the years, after return filed. return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within 5 years after the return was filed.

filed before the last day prescribed by law for the filing thereof shall filing be considered as filed on such last day

be considered as filed on such last day.

(e) Corporation and Shareholder.—If a corporation makes no Corporation and shareholder return of the tax imposed by this title, but each of the shareholders includes in his return his distributive share of the net income of the corporation, then the tax of the corporation shall be assessed within four years after the last date on which any such shareholder's return was filed.

Assessment three years within

Requests for prompt assessments.
By fiduciary repre-

Applicability to corporations.

Exceptions.

In good faith within 18 months.

Dissolution

SEC. 276. SAME—EXCEPTIONS.

(a) FALSE RETURN OR NO RETURN.—In the case of a false or fraud-return. the tax may be assessed, or a proceeding in court for the collection of of such tax may be begun without assessment in case such tax may be begun without assessment, at any time.

(b) WAIVERS.—Where before the expiration of the time prescribed with written consent of in section 275 for the assessment of the tax, both the Commissioner Commissioner. and the taxpayer have consented in writing to its assessment after

Exceptions

False return or no

Collection after assessment.

By distraint. Time limit.

Extension.

INCOME TAX.
AND COLLECTION of the period agreed upon. The period so agreed upon may be of DEFICIENCIES
Contd.

Contd. expiration of the period previously agreed upon.

(c) Collection After Assessment.—Where the assessment of any income tax imposed by this title has been made within the period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun (1) within six years after the assessment of the tax, or (2) prior to the expiration of any period for collection agreed upon in writing by the Commissioner and the taxpayer before the expiration of such six-year period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

SEC. 277. SUSPENSION OF RUNNING OF STATUTE.

Suspension of running of. Ante, p. 745.

Statute of limitations.

The running of the statute of limitations provided in section 275 or 276 on the making of assessments and the beginning of distraint or a proceeding in court for collection, in respect of any deficiency, shall (after the mailing of a notice under section 272(a)) be suspended for the period during which the Commissioner is prohibited from making the assessment or beginning distraint or a proceeding in court (and in any event, if a proceeding in respect of the deficiency is placed on the docket of the Board, until the decision of the Board becomes final), and for sixty days thereafter.

Supplement M—Interest and Additions to the Tax

Until decision of Board, etc.

INTEREST ADDITIONS TAX.

Failure to file return. SEC. 291. FAILURE TO FILE RETURN.

Additional tax imposed.

Exception.

Collection.

In case of any failure to make and file a return required by this title, within the time prescribed by law or prescribed by the Commissioner in pursuance of law, 25 per centum of the tax shall be added to the tax, except that when a return is filed after such time If failure not willful and it is shown that the failure to file it was due to reasonable cause and not due to willful neglect no such addition shall be made to the The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax. To be in lieu of The amount added to the tax under this section shall be in lieu of former levy.

R.S., sec. 3176, p. 610. the 25 per centum addition to the tax provided in section 3176 of the Revised Statutes, as amended.

Interest on deficien- SEC. 292. INTEREST ON DEFICIENCIES.

Assessment and rate.

Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the collector, and shall be collected as a part of the tax, at the rate of 6 per centum per annum from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed, or, in the case of a waiver under section 272(d), to the thirtieth day after the filing of such waiver or to the date the deficiency is assessed whichever is the earlier.

In case of waiver.

Additions to tax in SEC. 293. ADDITIONS TO THE TAX IN CASE OF DEFICIENCY. case of deficiency.

If due to negligence.

(a) Negligence.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency

(in addition to such deficiency) shall be assessed, collected, and INCOME TAX. paid in the same manner as if it were a deficiency, except that the ADDITIONS—Conta. provisions of coction 279(i) and the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency, except that the ADDITIONS—Contact of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it were a deficiency of the same manner as if it is not as it were a deficiency of the same manner as if it is not as it were a deficiency of the same manner as if it is not as it were a deficiency of the same manner as if it is not as it were a deficiency of the same manner as if it were a deficiency of the same manner as if it is not as it were a deficiency of the same manner as if it is not as it were a deficiency of the same manner as it is not as it were a deficiency of the same manner as it is not as it were a deficiency of the same manner as it is not as it were a deficiency of the same manner as it is not as it were a deficiency of the same manner as it is not as it were a deficiency of the same manner as it is n provisions of section 272(i), relating to the prorating of a deficiency, and of section 292, relating to interest on deficiencies, shall

not be applicable.

(b) Fraud.—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid, in lieu of the 50 per centum addition to the tax provided in section 3176 of the Revised Statutes, as amended.

Ante, pp. 742, 746.

Fraud.

R.S., sec. 3176, p. 610.

Additions to tax in case of nonpayment.

Interest prescribed.

SEC. 294. ADDITIONS TO THE TAX IN CASE OF NONPAYMENT.

(a) Tax Shown on Return.—

(1) GENERAL RULE.—Where the amount determined by the taxpayer as the tax imposed by this title, or any installment thereof, or any part of such amount or installment, is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax, interest upon such unpaid amount at the rate of 1 per centum a month from the date prescribed for its payment

until it is paid.

(2) If extension granted.—Where an extension of time for lift tax and interepayment of the amount so determined as the tax by the taxpayer, extension granted or any installment thereof, has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under section 295, is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided for in paragraph (1) of this subsection, interest at the rate of 1 per centum a month shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

(b) Deficiency.—Where a deficiency, or any interest or additional amounts assessed in connection therewith under section 292, on notice and demand. or under section 293, or any addition to the tax in case of delinquency provided for in section 291, is not paid in full within ten days from the date of notice and demand from the collector, there shall be collected as part of the tax, interest upon the unpaid amount at the rate of 1 per centum a month from the date of such notice and demand until it is paid. If any part of a deficiency prorated to Ante, p. 742. any unpaid installment under section 272(i) is not paid in full on or before the date prescribed for the payment of such installment, there shall be collected as part of the tax interest upon the unpaid amount at the rate of 1 per centum a month from such date until

(c) FIDUCIARIES.—For any period an estate is held by a fiduciary Interest rate payable by fiduciaries. appointed by order of any court of competent jurisdiction or by will, there shall be collected interest at the rate of 6 per centum per annum in lieu of the interest provided in subsections (a) and (b) of this section.

(d) Filing of Jeopardy Bond.—If a bond is filed, as provided in amount covered by section 273, the provisions of subsections (b) and (c) of this section jeopardy bond.

Ante, p. 743. shall not apply to the amount covered by the bond.

Ante, p. 746.

SEC. 295. TIME EXTENDED FOR PAYMENT OF TAX SHOWN ON RETURN.

If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the authority of section 56(c), there shall be collected as a part of such amount, interest thereon at the rate of 6 per centum per annum

Time extended for payment of tax shown on return.

Interest.

Ante, p. 699.

INCOME TAX. from the date when such payment should have been made if no additions—Comid extension had been granted, until the expiration of the period of the extension.

Interest for period of

Time extended for SEC. 296. TIME EXTENDED FOR PAYMENT OF DEFICIENCY.

Additional, paid, etc.

If the time for the payment of any part of a deficiency is extended, there shall be collected, as a part of the tax, interest on the part of the deficiency the time for payment of which is so extended, at the rate of 6 per centum per annum for the period of the extension, and no other interest shall be collected on such part of the deficiency for such period. If the part of the deficiency the time for payment of which is so extended is not paid in accordance with the terms of the extension, there shall be collected, as a part of the tax, interest on such unpaid amount at the rate of 1 per centum a month for the period from the time fixed by the terms of the extension for its payment until it is paid, and no other interest shall be collected on such unpaid amount for such period.

assessments

Interest on jeopardy SEC. 297. INTEREST IN CASE OF JEOPARDY ASSESSMENTS.

Rate of, on amount collected. Ante, p. 744.

In the case of the amount collected under section 273(i) there shall be collected at the same time as such amount, and as a part of the tax, interest at the rate of 6 per centum per annum upon such amount from the date of the jeopardy notice and demand to the date of notice and demand under section 273(i), or, in the case of the amount collected in excess of the amount of the jeopardy assessment, interest as provided in section 292. If the amount included in the notice and demand from the collector under section 273(i) is not paid in full within ten days after such notice and demand, then there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of 1 per centum a month (or, for any period the estate of the taxpayer is held by a fiduciary appointed by any court of competent jurisdiction or by will, at the rate of 6 per centum per annum) from the date of such notice and demand until it is paid.

Additional, if amount of deficiency not paid in full.

Bankruptey and re-

SEC. 298. BANKRUPTCY AND RECEIVERSHIPS.

Interest, if not paid on demand. Ante, p. 744.

If the unpaid portion of the claim allowed in a bankruptcy or receivership proceeding, as provided in section 274, is not paid in full within ten days from the date of notice and demand from the collector, then there shall be collected as a part of such amount interest upon the unpaid portion thereof at the rate of 1 per centum a month from the date of such notice and demand until payment.

Removal of property. SEC. 299. REMOVAL OF PROPERTY OR DEPARTURE FROM UNITED STATES.

Additions to tax for, Ante, p. 725.

For additions to tax in case of leaving the United States or concealing property in such manner as to hinder collection of the tax, see section 146.

CLAIMS AGAINST TRANSFEREES AND FIDUCIA-RIES. Transferred assets.

Supplement N—Claims against Transferees and Fiduciaries

SEC. 311. TRANSFERRED ASSETS.

Method of collection similar to deficiency collections.

(a) METHOD OF COLLECTION.—The amounts of the following liabilities shall, except as hereinafter in this section provided, be assessed, collected, and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency in a tax imposed by this title (including the provisions in case of delinquency in payment after notice and demand, the provisions authorizing distraint and proceedings in court for collection, and the provisions

prohibiting claims and suits for refunds):

th and proceedings in court for collection, and the provisions ibiting claims and suits for refunds):

(1) Transferees.—The liability, at law or in equity, of a transfere of property of a taxpayer, in respect of the tax (including Liabilities. Transferees feree of property of a taxpayer, in respect of the tax (including interest, additional amounts, and additions to the tax provided by law) imposed upon the taxpayer by this title.

(2) FIDUCIARIES.—The liability of a fiduciary under section 3467 of the Revised Statutes in respect of the payment of any

such tax from the estate of the taxpayer.

Any such liability may be either as to the amount of tax shown on

the return or as to any deficiency in tax.

(b) Period of Limitation.—The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

(1) In the case of the liability of an initial transferee of the When initial transproperty of the taxpayer,—within one year after the expiration of the period of limitation for assessment against the taxpayer;

(2) In the case of the liability of a transferee of a transferee Transferee liable. of the property of the taxpayer,—within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer;except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayer or last preceding transferee, respectively,—then the period of limitation for assessment of the liability proceeding of the transferee shall expire one year after the return of execution

in the court proceeding. (3) In the case of the liability of a fiduciary,—not later than one year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such

liability arises, whichever is the later.

(c) Period for Assessment Against Taxpayer.—For the purposes of taxpayer or terminated corporation poration, has terminated its existence, the period of limitation for assessment against the taxpayer shall be the period that would be

in effect had death or termination of existence not occurred.

(d) Suspension of Running of Statute of limitations.—The ning of statute of limitations upon the assessment of the mailed, etc.

(d) Suspension of running of the statute of limitations upon the assessment of the mailed, etc. liability of a transferee or fiduciary shall, after the mailing to the transferee or fiduciary of the notice provided for in section 272(a), be suspended for the period during which the Commissioner is prohibited from making the assessment in respect of the liability of the transferee or fiduciary (and in any event, if a proceeding in respect of the liability is placed on the docket of the Board, until the decision of the Board becomes final), and for sixty days

(e) Address for Notice of Liability.—In the absence of notice to haddress for notice of liability. the Commissioner under section 312(b) of the existence of a fiduciary relationship, notice of liability enforceable under this section in respect of a tax imposed by this title, if mailed to the person subject to the liability at his last known address, shall be sufficient for the purposes of this title even if such person is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

(f) Definition of "Transferee".—As used in this section, the "Transferee" determ "transferee" includes heir, legatee, devisee, and distributee.

Fiduciaries. R.S., sec 2467, p. 687.

Amount determined.

Limitation period.

Transferee of a trans-

Exception

Fiduciary liable

Ante. p. 741

INCOME TAX.
CLAIMS AGAINST
RANSFEREES
ND FIDUCIAIES—Contd. Fiduciary relation-

ship.
Liability of fiduciary
until termination of.

SEC. 312. NOTICE OF FIDUCIARY RELATIONSHIP.

(a) FIDUCIARY OF TAXPAYER.—Upon notice to the Commissioner that any person is acting in a fiduciary capacity such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in respect of a tax imposed by this title (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated.

Fiduciary of transferee, liability.

(b) FIDUCIARY OF TRANSFEREE.—Upon notice to the Commissioner that any person is acting in a fiduciary capacity for a person subject to the liability specified in section 311, the fiduciary shall assume, on behalf of such person, the powers, rights, duties, and privileges of such person under such section (except that the liability shall be collected from the estate of such person), until notice is given that the fiduciary capacity has terminated.

Manner of notice.

(c) Manner of Notice.—Notice under subsection (a) or (b) shall be given in accordance with regulations prescribed by the Commissioner with the approval of the Secretary.

OVERPAY-MENTS.

Supplement O-Overpayments

Of installments.

SEC. 321. OVERPAYMENT OF INSTALLMENT.

Credit, if installment payment exceeds cor-rect amount.

Credit or refund for amount already paid.

If the taxpayer has paid as an installment of the tax more than the amount determined to be the correct amount of such installment, the overpayment shall be credited against the unpaid installments, if any. If the amount already paid, whether or not on the basis of installments, exceeds the amount determined to be the correct amount of the tax, the overpayment shall be credited or refunded as provided in section 322.

Refunds and credits. SEC. 322. REFUNDS AND CREDITS.

Credit against tax

(a) AUTHORIZATION.—Where there has been an overpayment of any tax imposed by this title, the amount of such overpayment shall be credited against any income, war-profits, or excess-profits tax or installment thereof then due from the taxpayer, and any balance shall be refunded immediately to the taxpayer.

Limitation on allowance. Period of

(b) LIMITATION ON ALLOWANCE.

(1) Period of Limitation.—Unless a claim for credit or refund is filed by the taxpayer within three years from the time the return was filed by the taxpayer or within two years from the time the tax was paid, no credit or refund shall be allowed or made after the expiration of whichever of such periods expires the later. If no return is filed by the taxpayer, then no credit or refund shall be allowed or made after two years from the time the tax was paid, unless before the expiration of such period a claim therefor is filed by the taxpayer.

Credit or refund lim-

(2) Limit on amount of credit or refund.—The amount of the credit or refund shall not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or, if no claim was filed, then during the three years immediately preceding the allowance of the credit or refund.

Petition to Board of Tax Appeals; effect of.

Anie, p. 741

(c) Effect of Petition to Board.—If the Commissioner has mailed to the taxpayer a notice of deficiency under section 272(a) and if the taxpayer files a petition with the Board of Tax Appeals within the time prescribed in such subsection, no credit or refund in respect of the tax for the taxable year in respect of which the Commissioner has determined the deficiency shall be allowed or

made and no suit by the taxpayer for the recovery of any part of such tax shall be instituted in any court except—

(1) As to overpayments determined by a decision of the Board

which has become final; and

(2) As to any amount collected in excess of an amount computed in accordance with the decision of the Board which has

become final; and

upon the beginning of distraint or a proceeding in court for collection has expired; but in any such claim? lection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the Board which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive.

(d) Overpayment Found by Board.—If the Board finds that Overpayment found by Board. there is no deficiency and further finds that the taxpayer has made an overpayment of tax in respect of the taxable year in respect of which the Commissioner determined the deficiency, the Board shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the Board has become final, be credited or refunded to the taxpayer. No such credit or refund shall be made of any portion of the tax unless the Board determines as part of its decision that it was paid within three years before the filing of the claim or the filing of the petition, whichever is earlier.

(e) Tax Withheld at Source.—For refund or credit in case of source.

excessive withholding at the source, see section 143(f).

INCOME TAX. O V E R P A Y MENTS-Contd. Exceptions.
Overpayments.

Excess collections.

Credit or refund.

withheld at

TITLE IA—ADDITIONAL INCOME TAXES

SEC. 351. SURTAX ON PERSONAL HOLDING COMPANIES.

(a) Imposition of Tax.—There shall be levied, collected, and paid, for each taxable year, upon the undistributed adjusted net income of every personal holding company a surtax equal to the sum of the following:

(1) 30 per centum of the amount thereof not in excess of

\$100,000; plus

(2) 40 per centum of the amount thereof in excess of \$100,000.

(b) DEFINITIONS.—As used in this title—
(1) The term "personal holding company" means any corporation (other than a corporation exempt from taxation under section 101, and other than a bank or trust company incorporated under the laws of the United States or of any State or Territory, a substantial part of whose business is the receipt of deposits, and other than a life-insurance company or surety company) if—(A) at least 80 per centum of its gross income for the taxable year is derived from royalties, dividends, interest, annuities, and (except in the case of regular dealers in stock or securities) gains from the sale of stock or securities, and (B) at any time during the last half of the taxable year more than 50 per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals. For the purpose of determining the ownership of stock in a personal holding company—(C) stock owned, directly or indirectly, by a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries; (D) an individual shall be considered as owning, to the exclusion of any other individual, the stock owned, directly or indirectly, by his family, and this rule shall be applied in such manner as to produce the smallest possible number of individuals owning, directly or indirectly,

ADDITIONAL IN-COME TAXES.

Surtax on personal holding companies. Rates imposed.

Definitions.

"Personal company". holding

Determining stock

Individual.

Family.

"Undistributed adjusted net income".

Computation.

"Adjusted net income".

Computation of.

Ante, p. 714.

Synonymous terms. Ante, p. 683.

Administrative pro-

Ante, p. 718.

Payment of surtax on pro rata shares.

holders.

Improper accumula-tion of surplus Post p. 702.

ADDITIONAL IN more than 50 per centum in value of the outstanding stock; and (E) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

(2) The term "undistributed adjusted net income" means the

adjusted net income minus the sum of:

(A) 20 per centum of the excess of the adjusted net income over the amount of dividends received from personal holding companies which are allowable as a deduction for the purposes of the tax imposed by section 13 or 204;

(B) Amounts used or set aside to retire indebtedness incurred prior to January 1, 1934, if such amounts are reasonable with reference to the size and terms of such indebtedness; and

(C) Dividends paid during the taxable year.(3) The term "adjusted net income" means the net income computed without the allowance of the dividend deduction otherwise allowable, but minus the sum of:

(A) Federal income, war-profits, and excess-profits taxes paid or accrued, but not including the tax imposed by this section;

(B) Contributions or gifts, not otherwise allowed as a deduction, to or for the use of donees described in section 23(o) for

the purposes therein specified; and
(C) Losses from sales or exchanges of capital assets which

are disallowed as a deduction by section 117(d).

(4) The terms used in this section shall have the same meaning as when used in Title I.

(c) Administrative Provisions.—All provisions of law (including penalties) applicable in respect of the taxes imposed by Title I of this Act, shall insofar as not inconsistent with this section, be applicable in respect of the tax imposed by this section, except that the provisions of section 131 of that title shall not be applicable.

(d) PAYMENT OF SURTAX ON PRO RATA SHARES.—The tax imposed by this section shall not apply if all the shareholders of the corporation include (at the time of filing their returns) in their gross income their entire pro rata shares, whether distributed or not, of the "adjusted net income" of the corporation for such year. Any gross income of share amount so included in the gross income of a shareholder shall be treated as a dividend received. Any subsequent distribution made by the corporation out of earnings or profits for such taxable year shall, if distributed to any shareholder who has so included in his gross income his pro rata share, be exempt from tax in the amount of the share so included.

(e) Improper Accumulation of Surplus.—For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102.

ESTATE TAX AMENDMENTS.

TITLE II—AMENDMENTS TO ESTATE TAX

Revocable trusts.

SEC. 401. REVOCABLE TRUSTS.

Vol. 44, p. 71, amend-

Section 302(d) of the Revenue Act of 1926 is amended to read

as follows:

"(d) (1) To the extent of any interest therein of which the dece-Gross estate of de-cedent, determination dent has at any time made a transfer, by trust or otherwise, where the enjoyment thereof was subject at the date of his death to any change through the exercise of a power, either by the decedent alone or in conjunction with any person, to alter, amend, or revoke, or where the decedent relinquished any such power in contemplation of his death, except in case of a bona fide sale for an adequate and

full consideration in money or money's worth.

Exception.

"(2) For the purposes of this subdivision the power to alter, AMENDMENTS amend, or revoke shall be considered to exist on the date of the Powers to revoke decedent's death even though the exercise of the power is subject." to a precedent giving of notice or even though the afteration, amendment, or revocation takes effect only on the expiration of a stated period after the exercise of the power, whether or not on or before the date of the decedent's death notice has been given or the power has been exercised. In such cases proper adjustment shall be made lowed. Adjustments alrepresenting the interests which would have been excluded from the power if the decedent had lived, and for such purpose if the notice has not been given or the power has not been exercised on or before the date of his death, such notice shall be considered to have been given, or the power exercised, on the date of his death.

"(3) The relinquishment of any such power, not admitted or Relinquishment shown to have been in contemplation of the decedent's death, made sideration." within two years prior to his death without such a consideration and affecting the interest or interests (whether arising from one or more transfers or the creation of one or more trusts) of any one beneficiary of a value or aggregate value, at the time of such death, in excess of \$5,000, then, to the extent of such excess, such relinquishment or relinquishments shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;"

SEC. 402. PRIOR TAXED PROPERTY.

Paragraph (2) of subdivision (a) and paragraph (2) of subdi-vision (b) of section 303 of the Revenue Act of 1926, as amended, prior taxed property are amended by inserting before the period at the end of the second restricted. sentence of each such paragraph a comma and the following: "and vol. 44, p. 72, amendonly if in determining the value of the net estate of the prior decedent no deduction was allowable under this paragraph in respect of the property or property given in exchange therefor

SEC. 403. CITIZENSHIP AND RESIDENCE OF DECEDENTS.

(a) Section 303(a) of the Revenue Act of 1926, as amended, is educed of ed.

Citizenship and residence of decedents.

Provisions of, extending the resident "and its ed." amended by striking out "In the case of a resident" and inserting in lieu thereof "In the case of a citizen or resident of the United States'

(b) Section 303(b) of such Act, as amended, is amended by Nonresident not U.S. striking out "In the case of a nonresident" and inserting in lieu thereof "In the case of a nonresident not a citizen of the United Vol. 44, p. 73. States"

(c) Section 303(c) of such Act, as amended, is amended by striking out "in the case of a nonresident" and inserting in lieu thereof "in the case of a nonresident not a citizen of the United States".

(d) Section 303(d) and (e) of such Act, as amended, are amended by striking out the phrase "nonresident decedent" wherever such phrase appears in such subdivisions and inserting in lieu thereof in each case "nonresident not a citizen of the United States".

(e) Section 304(a) and (b) of such Act, as amended, are amended by striking out "nonresident" wherever such word appears and inserting in lieu thereof in each case "nonresident not a citizen of the United States"

(f) Section 403 of the Revenue Act of 1932 is amended by striking Substitution of "citizen or resident of the United States".

Substitution of "citizen or resident of the United States", in 1932 act.

Vol. 47, p. 245.

Prior taxed property.

Vol. 44, p. 73,

Vol. 44, p. 74.

86637°-34-48

ESTATE TAX AMENDMENTS. Gross estate tax for estate taxes. Real estate without United States exempt. Vol. 44, p. 70.

SEC. 404. REAL ESTATE SITUATED OUTSIDE THE UNITED STATES. So much of section 302 of the Revenue Act of 1926 as reads as follows: "The value of the gross estate of the decedent shall be determined by including the value at the time of his death of all determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated " is amended to read as follows: "The value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated, except real property situated outside the United States ".

Estate tax rates.

SEC. 405. ESTATE TAX RATES.

Rates modified. Vol. 47, p. 243.

(a) Section 401 (b) of the Revenue Act of 1932 is amended to read as follows:

"(b) The tentative tax referred to in subsection (a) (1) of this section shall equal the sum of the following percentages of the value of the net estate:

"Upon net estates not in excess of \$10,000, 1 per centum.

"\$100 upon net estates of \$10,000; and upon net estates in excess of \$10,000 and not in excess of \$20,000, 2 per centum in addition of such excess.

"\$300 upon net estates of \$20,000; and upon net estates in excess of \$20,000 and not in excess of \$30,000, 3 per centum in addition of such excess.

"\$600 upon net estates of \$30,000; and upon net estates in excess of \$30,000 and not in excess of \$40,000, 4 per centum in addition of such

"\$1,000 upon net estates of \$40,000; and upon net estates in excess of \$40,000 and not in excess of \$50,000, 5 per centum in addition of such excess.

"\$1,500 upon net estates of \$50,000; and upon net estates in excess of \$50,000 and not in excess of \$70,000, 7 per centum in addition of such excess.

"\$2,900 upon net estates of \$70,000; and upon net estates in excess of \$70,000 and not in excess of \$100,000, 9 per centum in addition of such excess.

"\$5,600 upon net estates of \$100,000; and upon net estates in excess of \$100,000 and not in excess of \$200,000, 12 per centum in addition of such excess.

"\$17,600 upon net estates of \$200,000; and upon net estates in excess of \$200,000 and not in excess of \$400,000, 16 per centum in addition of such excess.

"\$49,600 upon net estates of \$400,000; and upon net estates in excess of \$400,000 and not in excess of \$600,000, 19 per centum in addition of such excess.

"\$87,600 upon net estates of \$600,000; and upon net estates in excess of \$600,000 and not in excess of \$800,000, 22 per centum in addition of such excess.

"\$131,600 upon net estates of \$800,000; and upon net estates in excess of \$800,000 and not in excess of \$1,000,000, 25 per centum in addition of such excess.

"\$181,600 upon net estates of \$1,000,000; and upon net estates in excess of \$1,000,000 and not in excess of \$1,500,000, 28 per centum in addition of such excess.

"\$321,600 upon net estates of \$1,500,000; and upon net estates in excess of \$1,500,000 and not in excess of \$2,000,000, 31 per centum in addition of such excess.

"\$476,600 upon net estates of \$2,000,000; and upon net estates in AMENDMENTS. excess of \$2,000,000 and not in excess of \$2,500,000, 34 per centum Rates—Contd. in addition of such excess.

"\$646,600 upon net estates of \$2,500,000; and upon net estates in excess of \$2,500,000 and not in excess of \$3,000,000, 37 per centum

in addition of such excess.

"\$831,600 upon net estates of \$3,000,000; and upon net estates in excess of \$3,000,000 and not in excess of \$3,500,000, 40 per centum in addition of such excess.

"\$1,031,600 upon net estates of \$3,500,000; and upon net estates in excess of \$3,500,000 and not in excess of \$4,000,000, 43 per centum

in addition of such excess.

"\$1,246,600 upon net estates of \$4,000,000; and upon net estates in excess of \$4,000,000 and not in excess of \$4,500,000, 46 per centum

in addition of such excess.

"\$1,476,600 upon net estates of \$4,500,000; and upon net estates in excess of \$4,500,000 and not in excess of \$5,000,000, 48 per centum

in addition of such excess.

"\$1,716,600 upon net estates of \$5,000,000; and upon net estates in excess of \$5,000,000 and not in excess of \$6,000,000, 50 per centum in addition of such excess.

"\$2,216,600 upon net estates of \$6,000,000; and upon net estates in excess of \$6,000,000 and not in excess of \$7,000,000, 52 per centum

in addition of such excess.

"\$2,736,600 upon net estates of \$7,000,000; and upon net estates in excess of \$7,000,000 and not in excess of \$8,000,000, 54 per centum in addition of such excess.

"\$3,276,600 upon net estates of \$8,000,000; and upon net estates in excess of \$8,000,000 and not in excess of \$9,000,000, 56 per centum

in addition of such excess. "\$3,836,600 upon net estates of \$9,000,000; and upon net estates in excess of \$9,000,000 and not in excess of \$10,000,000, 58 per centum in addition of such excess.

"\$4,416,600 upon net estates of \$10,000,000; and upon net estates in excess of \$10,000,000, 60 per centum in addition of such excess."

(b) The amendment made by this section shall be effective only with respect to transfers of estates of decedents dying after the date of the enactment of this Act.

SEC. 406. NONDEDUCTIBILITY OF CERTAIN TRANSFERS.

Section 303(a) (3) and section 303(b) (3) of the Revenue Act of 1926, as amended, are amended by inserting after "individual", wherever appearing therein, a comma and the following: "and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation".

Nondeductibility of rtain transiers. Vol. 44, p. 72.

TITLE III—AMENDMENTS TO PRIOR ACTS AND AMENDMENTS TO PRIOR ACTS AND AND MISCELLANEOUS AND MISCELLA-NEOUS.

SEC. 501. PERIOD FOR PETITION TO BOARD UNDER PRIOR ACTS.

Section 274(a) of the Revenue Act of 1926, section 308(a) of the Time for, extended. Revenue Act of 1926, section 513(a) of the Revenue Act of 1932, and Vol. 47, pp. 55, 75, continue 1979(c) of the Revenue Act of 1932, and Vol. 47, pp. 250. section 272(a) of the Revenue Act of 1928 and the Revenue Act of 1932 (relating to the period during which a taxpayer may petition the Board of Tax Appeals for redetermination of a deficiency), are amended by striking out "60 days" and inserting in lieu thereof "90 days"; by striking out "not counting Sunday as the sixtieth District of Columbia" day" and inserting in lieu thereof "not counting Sunday or a legal added.

Petition to Board of Tax Appeals.

AMENDMENTS ACTS holiday in the District of Columbia as the ninetieth day"; and by MISCELLA-STRIKING out "60-day" and inserting in lieu thereof "90-day". The amendments made by this section shall apply only in respect of notices mailed after 30 days after the date of the enactment of this

Recovery of amounts erroneously refunded. Vol. 45, p. 875. (a) Section 610 of the Decree A 1000 in the Control of the Control of

(a) Section 610 of the Revenue Act of 1928 is amended by adding at the end thereof a new subsection to read as follows:

Time for bringing suit extended.

"(c) Despite the provisions of subsections (a) and (b) such suit may be brought at any time within five years from the making of the refund if it appears that any part of the refund was induced by fraud or the misrepresentation of a material fact."

Barred suits

(b) The amendment made by subsection (a) of this section shall not apply to any suit which was barred on the date of the enactment of this Act.

Statute of limitations SEC. 503. STATUTE OF LIMITATIONS ON SUITS FOR REFUND. on suits for refund.

Vol. 45, p. 874.

Section 608(b)(2) of the Revenue Act of 1928 is amended by Period for filing sus- adding at the end thereof a new sentence to read as follows: "If such pended. agreement has been entered into, the running of such statute of limitations shall be suspended in accordance with the terms of the agreement."

Credit or refund.

Overpayments found SEC. 504. OVERPAYMENTS FOUND BY THE BOARD OF TAX APPEALS. by Board.

(a) The last sentence of section 322(d) of the Revenue Act of Vol. 47, p 243; Vol. 1932 and of the Revenue Act of 1928 are amended to read as follows: "No such credit or refund shall be made of any portion of the tax unless the Board determines as part of its decision that it was paid within two years before the filing of the claim or the filing of the

Running of the statute of limitation. Vol. 47, p. 259.

petition, whichever is earlier."

(b) The last sentence of section 528(d) of the Revenue Act of 1932 is amended to read as follows: "No such credit or refund shall be made of any portion of the tax unless the Board determines as

Refund restrictions. Vol. 46, p. 67

part of its decision that it was paid within three years before the filing of the claim or the filing of the petition, whichever is earlier."

(c) The last sentence of section 284(e) of the Revenue Act of 1926, as amended, is amended to read as follows: "Unless the Board determines as part of its decision that the claim for credit or refund, or the petition, was filed within the time prescribed in subdivision (g) for filing claims, no such credit or refund shall be made of any portion of the tax unless the Board determines as part of its decision that it was paid within four years (or, in the case of a tax imposed by this title, within three years) before the filing of the claim or the filing of the petition, whichever is earlier."

Refund only when payment made within four years

(d) The last sentence of section 319(c) of the Revenue Act of 1926, as amended, is amended to read as follows: "No such refund shall be made of any portion of the tax unless the Board determines as part of its decision that it was paid within four years (or in the case of a tax imposed by this title, within three years) before the filing of the

Pending, etc., cases.

claim or the filing of the petition, whichever is earlier."

(e) The amendments made by subsections (a), (b), (c), and (d) of this section shall have no effect in the case of any proceeding before the Board on a petition if any hearing by the Board thereon has been held prior to 30 days after the date of the enactment of this Act.

SEC. 505. BANKRUPTCY AND RECEIVERSHIPS.

EC. 505. BANKRUPTCY AND RECEIVERSHIPS.

(a) Section 274(a) of the Revenue Act of 1932 and the Revenue NEOUS.

AMENDMENTS TO PRIOR ACTS
MISCELLA-NEOUS.

AMENDMENTS TO PRIOR ACTS

Act of 1928 and section 282(a) of the Revenue Act of 1926 are amended by inserting after the first sentence thereof the following:

"In such cases the trustee in bankruptcy or receiver shall give amended."

The commissioner of the adjudication of bankruptcy or the appointment of the receiver, and the running of the receiver; running of the receiver of limitations. statute of limitations on the making of assessments shall be sus- of statute of limitations suspended pended for the period from the date of adjudication in bankruptcy or the appointment of the receiver to a date 30 days after the date upon which the notice from the trustee or receiver is received by the Commissioner; but the suspension under this sentence shall in no case be for a period in excess of two years.

(b) The amendments made by subsection (a) shall not apply in any case in which the adjudication has occurred, or the receiver has been appointed, prior to the date of the enactment of this Act.

SEC. 506. RETROACTIVITY OF REGULATIONS, RULINGS, ETC.

Section 1108(a) of the Revenue Act of 1926, as amended, is amended to read as follows:

"(a) The Secretary, or the Commissioner with the approval of the Secretary, may prescribe the extent, if any, to which any ruling, laws apply without reregulation, or Treasury Decision, relating to the internal revenue laws, shall be applied without retroactive effect."

SEC. 507. EXAMINATION OF BOOKS AND WITNESSES.

The Commissioner, for the purpose of determining the liability at commissioner, etc., as law or in equity of a transferee of the property of any person with to respect to any Federal taxes imposed upon such person, is hereby authorized, by any officer or employee of the Bureau of Internal Revenue, including the field service, designated by him for that purpose, to examine any books, papers, records, or memoranda bearing upon such liability, and may require the attendance of the transferor or transferee, or of any officer or employee of such person, or the attendance of any other person having knowledge in the premises, and may take his testimony with reference to the matter, with power to administer oaths to such person or persons.

SEC. 508. SALE OF PERSONAL PROPERTY UNDER DISTRAINT.

Section 3192 of the Revised Statutes is amended to read as follows: "Sec. 3192. When any personal property is advertised for sale property seized when under distraint as aforesaid, the officer making the seizure shall bid offered below price, proceed to call such property. proceed to sell such property at a public auction, offering the same at a minimum price, including the expenses of making the levy and of advertising the sale, and if the amount bid for such property at the sale is not equal to the minimum price so fixed, the officer conducting the sale may declare the same to be purchased by him for the United States. The property so purchased may be sold by the collector within whose district the sale was made under such regulations as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. The collector shall render to the Commissioner a distinct account of all charges incurred in such sales, and, in case of resale, shall pay into the Treasury the proceeds as provided in section 3210 of the Revised Statutes, as amended."

SEC. 509. DISCHARGE OF LIENS.

Section 3186(c) of the Revised Statutes, as amended, is amended vol. 43, p. 994. by adding at the end thereof the following new paragraph:

Inapplicable cases.

Retroactivity of rul-Vol. 46, p. 114

Examination of books and witnesses.

Sale of personal prop-erty under distraint.

R.S., sec. 3192, p. 613.

Resale provisions.

Accounting

R.S., sec 3210, p. 617.

Discharge of liens.

Part payments.

AMENDMENTS
TO PRIOR ACTS
AND MISCELLAerty subject to the lien if there is paid over to the collector in part
NEOUS.
Setisfaction of the liability is recognized. satisfaction of the liability in respect of such tax an amount determined by the Commissioner, which shall not be less than the value, as determined by him, of the interest of the United States in the part to be so discharged. In determining such value the Commissioner, which shall not be less than the value, as determined by him, of the interest of the United States in the part to be so discharged. In determining such value the Commissioner, which shall not be less than the value, as determined by him, of the interest of the United States in the part to be so discharged. sioner shall give consideration to the fair market value of the part to be so discharged and to such liens thereon as have priority to the lien of the United States."

Jeopardy assess- SEC. 510. JEOPARDY ASSESSMENTS. ments.

Vol. 47, p. 287, amended.

Section 1105 of the Revenue Act of 1932 is amended to read as follows:

"SEC. 1105. JEOPARDY ASSESSMENT.

Immediate assessment, etc., if collection jeopardized by delay.

"(a) If the Commissioner believes that the collection of any tax (other than income tax, estate tax, and gift tax) under any provision of the internal-revenue laws will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the collector for the payment disthereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful without regard R.S., sec. 3187, p. 612. to the period prescribed in section 3187 of the Revised Statutes, as amended.

Payment diately due.

Collection by dis-traint upon failure to

Postponement, when security provided.

"(b) The collection of the whole or any part of the amount of such assessment may be stayed by filing with the collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties, as the collector deems necessary, conditioned upon the payment of the amount collection of which is stayed, at the time at which, but for this section, such amount would be due."

lect to power.

Vol. 47, p. 245, repealed.

Gifts of property sub- SEC, 511, GIFTS OF PROPERTY SUBJECT TO POWER.

Subsection (c) of section 501 of the Revenue Act of 1932 (relating to the inapplicability of gift tax in the case of the transfer of property in trust subject to the power of the donor to revest title in himself) is repealed.

Appointment by the President, etc.

Post, p. 1059. Compensation.

General Counsel for SEC. 512. GENERAL COUNSEL FOR THE TREASURY. the Treasury.

(a) There is hereby created in the Department of the Treasury the office of General Counsel for the Department of the Treasury (hereinafter in this section referred to as the "General Counsel"). The General Counsel shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive com-To be chieflaw officer pensation at the rate of \$10,000 per annum. The General Counsel of the department. shall be the chief law officer of the department, and shall perform such duties in respect of the legal activities thereof as may be pre-Assistant General Scribed by the Secretary or required by law. The President is authorized to appoint, by and with the advice and consent of the Senate, an Assistant General Counsel for the Bureau of Internal Revenue and to fix his compensation at a rate not in excess of \$10,000 per annum. The Secretary may appoint and fix the duties pointed by the Secretary of such other Assistant General Counsel (not to exceed five) and tary. such other officers and employees as he may deem necessary to assist the General Counsel in the performance of his duties. The Secre-

tary may designate one of the Assistant General Counsel to act TO PRIOR ACTS as the General Counsel during the absence of the General Counsel. AND MISCELLAas the General Counsel during the absence of the General Counsel. AND NEOUS. The General Counsel, with the approval of the Secretary, is authorized to delegate to any Assistant General Counsel any authority, duty, or function which the General Counsel is authorized or required to exercise or perform. The Assistant General Counsel appointed by the Secretary may be appointed and compensated without regard to the provisions of the Classification Act of 1923, as amended, and the Civil Service laws and shall receive compensation at such rate (not in excess of \$10,000 per annum) as may be fixed by the Secretary. The rate of compensation of any person appointed under the provisions of this subsection shall be subject to the reduction applicable to officers and employees of the Federal

Government generally.

(b) The offices of General Counsel for the Bureau of Internal Revenue, Assistant General Counsel for the Bureau of Internal Revenue, Solicitor of the Treasury, and Assistant Solicitor of the Treasury are hereby abolished. The powers, duties, and functions of formed to the General such offices are hereby transferred to the General Counsel. This sub-Counsel; effective date. section shall take effect when the General Counsel first appointed

under subsection (a) qualifies and takes office.

(c) Nothing in this section shall be construed to affect the duties, Department of Justice powers, or functions imposed upon, or vested in the Department of not hereby affected. Justice, or any officer thereof, by existing law.

SEC. 513. ASSISTANTS IN THE TREASURY.

The Secretary of the Treasury is authorized (without regard to the Classification Act of 1923, as amended, and the Civil Service laws) to appoint and fix the compensation of five assistants at rates of compensation of not to exceed \$10,000 per annum, but the rates so fixed shall be subject to the reduction applicable to officers and employees of the Federal Government generally. The Secretary is authorized to delegate to such assistants any authority, duty, or function which he is authorized or required to exercise or perform. Whenever the President declares by Executive order that the emergency requiring the appointments under this section has ceased to exist, the persons appointed under this section shall cease to hold office under this section, and the power of the Secretary under this section shall terminate.

SEC. 514. PENALTIES AND AWARDS TO INFORMERS WITH RESPECT TO ILLEGALLY PRODUCED PETROLEUM.

duced petroleum, who willfully fails to make return showing such failure to report inincome within the time prescribed by law or 30 days after the enactment of this Act, whichever expires later, shall, in addition to all other penalties prescribed by law, be liable to a civil penalty of \$500 plus \$50 for each day during which such failure continues.

(b) Any person not an officer or employee of the United States who furnishes to the Commissioner or any collector original information leading to the recovery from any other person of any penalty under this section may be awarded and paid by the Commissioner a compensation of one-half the penalty so recovered, as determined

by the Commissioner.

(c) As used in this section, the term "income from illegally produced petroleum" means any income (not shown on a return made leum" defined. within the time prescribed by law or 30 days after the enactment of this Act. whichever expired leaves the leaves of the this Act, whichever expires later) arising out of any sale or purchase of crude petroleum withdrawn from the ground subsequent to

offices Designated

Assistants in the Treasury.

Appointment.

Pay.

Duties to be prescribed.

Termination, by Executive order.

Penalties and awards with respect to illegally produced petroleum.

Reward authorized.

"Income from ille-

AMENDMENTS January 1, 1932, in violation of any State or Federal law (not AND MISCELLA including withdrawal in violation of any code of fair competition approved under the National Industrial Recovery Act or illegal withdrawal the penalties for which have been mitigated or satisfied in pursuance of law prior to the enactment of this Act), or arising out of any fee derived from acting as agent for any seller or purchaser in connection with a sale or purchase of such petroleum or products thereof, or any amount illegally received by any person charged with the enforcement of law with respect to such petroleum or products thereof.

Postal rates, etc.

SEC. 515. POSTAL RATES.

Increase, extended to Section 1001(a), as amended, of the Revenue Act of 1932, and Vol. 47, p. 285; Ante, section 2 of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, are amended by striking out "1934" wherever such date appears and inserting in lieu thereof " 1935 ".

party to suit. Vol. 44, p. 107.

Commissioner as SEC. 516. COMMISSIONER AS PARTY TO SUIT.

Substitution of suc-cessor's name not re-quired hereafter.

Section 907 of the Revenue Act of 1924, as amended, is amended by adding at the end thereof a new subdivision to read as follows:

"(g) When the incumbent of the office of Commissioner changes,
no substitution of the name of his successor shall be required in proceedings pending after the date of the enactment of the Revenue Act of 1934 before any appellate court reviewing the action of the Board."

Nondeductibility of SEC. 517. NONDEDUCTIBILITY OF CERTAIN GIFTS.

Nondeductibility of contain gifts.

Community chests, domestic, religious, etc., corporations, etc. Vol. 47, p. 248.

(a) Section 505(a) (2) (B) and section 505(b) (2) of the Revenue Act of 1932 are amended by inserting after "individual" a comma and the following: "and no substantial part of the activities of the ac of which is carrying on propaganda, or otherwise attempting, to influence legislation

(b) Section 505(b) (3) of the Revenue Act of 1932 is amended by inserting after "animals" a comma and the following: "no substantial part of the activities of which is carrying on propaganda,

or otherwise attempting, to influence legislation".

Liability of fiduciary.

SEC. 518. LIABILITY OF FIDUCIARY.

R.S., sec. 3467, p. 687;
U.S.C., p. 986.

Personal liability for C.S. claims where other debts preferred.

(a) Section 3467 of the Revised Statutes

(b) Section 3467 of the Revised Statutes

(c) Sec. 192) is amended to read as follows:

"Sec. 3467. Every executor, administrator, or assignee, or other person, who pays, in whole or in part, any debt due by the person or estate for whom or for which he acts before he satisfies and pays the due to the United States from such person or estate, shall the section of the Revised Statutes

(a) Section 3467 of the Revised Statutes

(b) Sec. 192) is amended to read as follows:

"Sec. 3467. Every executor, administrator, or assignee, or other person, who pays, in whole or in part, any debt due by the person or estate for whom or for which he acts before he satisfies and pays the due to the United States from such person and estate to the extent of such control of the Revised Statutes. payments for the debts so due to the United States, or for so much thereof as may remain due and unpaid."

(b) The amendment made by subsection (a) shall be applicable in the case of payments made after June 6, 1932.

Decisions to cover payments after June 6, 1932.

Venue for appeals from Board of Tax Ap- SEC. 519. VENUE FOR APPEALS FROM BOARD OF TAX APPEALS.

peals. Vol. 44, p. 110.

(a) Section 1002 of the Revenue Act of 1926 is amended to read as follows:

" VENUE

Review by circuit court of appeals.

"Sec. 1002. (a) Except as provided in subdivision (b), such decision may be reviewed by the Circuit Court of Appeals for the circuit in which is located the collector's office to which was made the return

of the tax in respect of which the liability arises or, if no return TO PRIOR ACTS was made, then by the Court of Appeals of the District of Columbia. AND MISCELLA-MEOUS.

"(b) Notwithstanding the provisions of subsection (a), such decision may be reviewed by any Circuit Court of Appeals, or the Court of Appeals of the District of Columbia, which may be designated by the Commissioner and the taxpayer by stipulation in writing."
(b) Section 1002 of the Revenue Act of 1926, as amended by this

section, shall be applicable to all decisions of the Board rendered on or after the date of the enactment of this Act, and such section, as in force prior to its amendment by this section, shall be applicable to such decisions rendered prior thereto, except that subdivision (b) thereof may be applied to any such decision rendered prior thereto.

SEC. 520. GIFT TAX RATES.

(a) The gift-tax schedule set forth in section 502 of the Revenue Act of 1932 is amended to read as follows:

"Upon net gifts not in excess of \$10,000, three fourths of 1 per

"\$75 upon net gifts of \$10,000; and upon net gifts in excess of \$10,000 and not in excess of \$20,000, 1½ per centum in addition of

such excess. "\$225 upon net gifts of \$20,000; and upon net gifts in excess of \$20,000 and not in excess of \$30,000, 21/4 per centum in addition of

"\$450 upon net gifts of \$30,000; and upon net gifts in excess of \$30,000 and not in excess of \$40,000, 3 per centum in addition of

"\$750 upon net gifts of \$40,000; and upon net gifts in excess of \$40,000 and not in excess of \$50,000, 3\% per centum in addition of

"\$1,125 upon net gifts of \$50,000; and upon net gifts in excess of \$50,000 and not in excess of \$70,000, 51/4 per centum in addition of such excess.

"\$2,175 upon net gifts of \$70,000; and upon net gifts in excess of \$70,000 and not in excess of \$100,000, 63/4 per centum in addition of such excess.

"\$4,200 upon net gifts of \$100,000; and upon net gifts in excess of \$100,000 and not in excess of \$200,000, 9 per centum in addition of such excess.

"\$13,200 upon net gifts of \$200,000; and upon net gifts in excess of \$200,000 and not in excess of \$400,000, 12 per centum in addition of such excess.

"\$37,200 upon net gifts of \$400,000; and upon net gifts in excess of \$400,000 and not in excess of \$600,000, 141/4 per centum in addition of such excess.

"\$65,700 upon net gifts of \$600,000; and upon net gifts in excess of \$600,000 and not in excess of \$800,000, 16½ per centum in addition of such excess.

"\$98,700 upon net gifts of \$800,000; and upon net gifts in excess of \$800,000 and not in excess of \$1,000,000, 183/4 per centum in addition of such excess.

"\$136,200 upon net gifts of \$1,000,000; and upon net gifts in excess of \$1,000,000 and not in excess of \$1,500,000, 21 per centum in addition of such excess.

"\$241,200 upon net gifts of \$1,500,000; and upon net gifts in excess of \$1,500,000 and not in excess of \$2,000,000, 231/4 per centum in addition of such excess.

Gift taxes.

Schedule. Vol. 47 246. Vol. 47, amended. p.

Gift taxes.

AMENDMENTS TO PRIOR ACTS AND MISCELLA- excess of \$2,000,000 and not in excess of \$2,500,000, 25½ per centum in addition of such excess in addition of such excess

"\$484,950 upon net gifts of \$2,500,000; and upon net gifts in excess of \$2,500,000 and not in excess of \$3,000,000, 273/4 per centum

in addition of such excess.

"\$623,700 upon net gifts of \$3,000,000; and upon net gifts in excess of \$3,000,000 and not in excess of \$3,500,000, 30 per centum in addition of such excess

"\$773,700 upon net gifts of \$3,500,000; and upon net gifts in excess of \$3,500,000 and not in excess of \$4,000,000, 324 per centum

in addition of such excess.

"\$934,950 upon net gifts of \$4,000,000; and upon net gifts in excess of \$4,000,000 and not in excess of \$4,500,000, 34½ per centum in addition of such excess.

"\$1,107,450 upon net gifts of \$4,500,000; and upon net gifts in excess of \$4,500,000 and not in excess of \$5,000,000, 36 per centum

in addition of such excess.

"\$1,287,450 upon net gifts of \$5,000,000; and upon net gifts in excess of \$5,000,000 and not in excess of \$6,000,000, 37½ per centum in addition of such excess.

"\$1,662,450 upon net gifts of \$6,000,000; and upon net gifts in excess of \$6,000,000 and not in excess of \$7,000,000, 39 per centum

in addition of such excess.

"\$2,052,450 upon net gifts of \$7,000,000; and upon net gifts in excess of \$7,000,000 and not in excess of \$8,000,000, 40½ per centum in addition of such excess.

"\$2,457,450 upon net gifts of \$8,000,000; and upon net gifts in excess of \$8,000,000 and not in excess of \$9,000,000, 42 per centum in addition of such excess.

"\$2,877,450 upon net gifts of \$9,000,000; and upon net gifts in excess of \$9,000,000 and not in excess of \$10,000,000, 431/2 per centum in addition of such excess.

"\$3,312,450 upon net gifts of \$10,000,000; and upon net gifts in excess of \$10,000,000, 45 per centum in addition of such excess."

New rates to apply to gifts, etc., made in calendar year 1935 and thereafter.

(b) The amendment made by subsection (a) of this section simulated by applied in computing the tax for the calendar year 1935 and each calendar year thereafter (but not the tax for the calendar year 1934 or a previous calendar year), and such amendment shall be applied in all computations in respect of the calendar year 1934 for the calendar year 1935 or any calendar year thereafter.

EXCISE TAXES.

TITLE IV—EXCISE TAXES

Soft drink tax

SEC. 601. TERMINATION OF SOFT DRINK TAX.

Termination of. Vol. 47, p. 264.

No tax shall be imposed under section 615 of the Revenue Act of 1932 on the sale or use of any article if such sale or use takes place after the date of the enactment of this Act.

Tax on certain oils.

SEC. 602. TAX ON CERTAIN OILS.

Vol. 47, p 261, amended.

Section 601(c) of the Revenue Act of 1932 is amended by adding

Whale, etc., oils.

at the end thereof a new paragraph as follows:

"(8) Whale oil (except sperm oil), fish oil (except cod oil, cod-

Application, etc.

liver oil, and halibut-liver oil), marine animal oil, and any combination or mixture containing a substantial quantity of any one or more of such oils, 3 cents per pound. The tax on the articles described in this paragraph shall apply only with respect to the importation of such articles after the date of the enactment of the Revenue Act of 1934, and shall not be subject to the provisions of subsection (b) (4) of this section (prohibiting draw-back) or section 629 (relating to expiration of taxes)."

SEC. 6021/2. PROCESSING TAX ON CERTAIN OILS.

(a) There is hereby imposed upon the first domestic processing Designated oils, have of coconut oil, sesame oil, palm oil, palm kernal oil, or sunflower the processing. oil, or of any combination or mixture containing a substantial quantity of any one or more of such oils with respect to any of which oils there has been no previous first domestic processing, a tax of 3 cents per pound, to be paid by the processor. There is Additional, on first hereby imposed (in addition to the tax imposed by the preceding of coconut oil, etc sentence) a tax of 2 cents per pound, to be paid by the processor, upon the first domestic processing of coconut oil or of any combination or mixture containing a substantial quantity of coconut oil with respect to which oil there has been no previous first domestic processing, except that the tax imposed by this sentence shall not apply when it is established, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, that such coconut oil (whether or not contained in such a combination or mixture), (A) is wholly the production of the Philippine Islands or any other possession of the United States, or (B) was produced wholly from materials the growth or production of the Philippine Islands or any other possession of the United States, or (C) was brought into the United States on or before the 30th tive date. day after the date of the enactment of this Act or produced from materials brought into the United States on or before the 30th day after the date of enactment of this Act, or (D) was purchased before April 26, 1924. under a bona fide contract entered into prior to April 26, 1934. or produced from materials purchased under a bona fide contract entered into prior to April 26, 1934. All taxes collected under tion from Philippines this section with respect to coconut oil wholly of Philippine and psid to Philippine production or produced from materials wholly of Philippine growth or production, shall be held as a separate fund and paid to the Treasury of the Philippine Islands, but if at any time the Philippine Government provides by any law for any subsidy to be paid to the producers of copra, coconut oil, or allied products, no further subsidy on copra, etc. payments to the Philippine Treasury shall be made under this subsection. For the purposes of this section the torus of subsection. For the purposes of this section the term "first domestic cessing" defined. processing" means the first use in the United States, in the manufacture or production of an article intended for sale, of the article with respect to which the tax is imposed, but does not include the

use of palm oil in the manufacture of tin plate. tion shall make monthly returns under oath in duplicate and pay quired. Sworn returns, tax to the tax to the collector of internal revenue for the district in which is located his principal place of business or if he is place of business in the United States, then to the collector of internal revenue at Baltimore, Maryland. Such returns shall contain such information and be made at such times and in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall ment be added as part of the tax interest at the rate of 1 per centum per

month from the time the tax became due until paid.

EXCISE TAXES.

Processing tax on certain oils.

Exemptions.

When wholly of Philippine production, etc.

Or from materials of island, etc., possessions.

Information required.

Penalty for nonpay-

¹ So in original.

EXCISE TAXES. Credits for sales to Government.

(c) Subject to such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe, any person who has sold to a State, or a political subdivision thereof, for use in the exercise of an essential governmental function any article containing any such oil, combination, or mixture, upon the processing of which a tax has been paid under this section shall be entitled to a credit or refund of the tax paid with respect to the quantity of such oil, combination, or mixture contained in such article.

Export bounties.

(d) Upon the exportation to any foreign country or to a possession of the United States of any article wholly or in chief value of an article with respect to the processing of which a tax has been paid under this section, the exporter thereof shall be entitled to a under refund of the amount of such tax. Upon the giving of bond satisfactory to the Secretary for faithful observance of the provisions of this section requiring the payment of taxes, any person shall be entitled, without payment of the tax, to process for such exportation any article with respect to which a tax is imposed by this section.

Processing,

Sales under prior contracts

Existing provisions continued.
Vol. 44, p. 93.

All collections cov-

gasoline.

Registration, filing bond, etc., required of dealers. Vol. 47, p. 259.

Gasoline. Vol. 47, p. 266.

Rate.

Exception.

Producer or importer using tax-free gasoline; considered a sale.

Producer construed. Vol 47, p. 266.

(e) If (1) any person has, prior to January 26, 1934, made a bona fide contract for the sale on or after the effective date of this section Collection of taxes of any article wholly or in chief value of an article with respect to which a tax is imposed by this section or of any article with respect to which a tax is imposed by this subsection, and if (2) such contract does not permit the addition to the amount to be paid thereunder of the whole of such tax, then (unless the contract expressly prohibits such addition) the vendee shall pay so much of the tax as is not permitted to be added to the contract price. Taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated and shall be returned and paid to the United States by the vendor in the same manner as other taxes under this section. case of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner, who shall cause collection of such taxes to be made from the vendee.

(f) All provisions of law (including penalties) applicable in respect of taxes imposed by section 600 of the Revenue Act of 1926, shall, insofar as applicable and not inconsistent with this section, be applicable in respect of the taxes imposed by this section.

(g) All collections except as provided in subsection (a) under this section shall, notwithstanding any other provisions of law, be covered into the general fund of the Treasury of the United States.

Lubricating oil and SEC. 603. TAXES ON LUBRICATING OIL AND GASOLINE.

(a) Section 601(c)(1) of the Revenue Act of 1932, as amended, is amended by adding after the first sentence thereof the following: "Every person liable for tax under this paragraph shall register and file bond as provided in section 617, as amended."

(b) Sections 617(a) and (b) of the Revenue Act of 1932, as amended, are amended to read as follows:

"(a) There is hereby imposed on gasoline sold by the producer or importer thereof, or by any producer of gasoline, a tax of 1 cent a gallon, except that under regulations prescribed by the Commissioner with the approval of the Secretary the tax shall not apply

in the case of sales to a producer of gasoline.

"(b) If a producer or importer uses (otherwise than in the production of gasoline) gasoline sold to him free of tax, or produced or imported by him, such use shall for the purposes of this title be considered a sale. Any person to whom gasoline is sold tax-free under this section on or after the effective date of the Revenue Act of 1932 shall be considered the producer of such gasoline."

(c) Effective on the thirtieth day after the enactment of this Act, section 617(c)(2) of the Revenue Act of 1932, as amended, is further

amended to read as follows:

"(2) the term gasoline means (A) all products commonly or Definition commercially known or sold as gasoline (including casinghead and natural gasoline), benzol, benzene, or naphtha, regardless of their classifications or uses; and (B) any other liquid of a kind prepared, advertised, offered for sale or sold for use as, or used as, a fuel for the propulsion of motor vehicles, motor boats, or airplanes; except that it does not include any of the foregoing (other than products commonly or commercially known or sold as gasoline) sold for use otherwise than as a fuel for the propulsion of motor vehicles, motor boats, or airplanes, and otherwise than in the manufacture or production of such fuel, and does not include

kerosene, gas oil, or fuel oil."

(d) Section 617 of the Revenue Act of 1932, as amended, is amended, is amended by adding at the end thereof the following subsections:

"(d) Every person subject to tax under this section or section rers and producers of 601(c)(1) shall, before the thirtieth day after the date of the gasoline and lubricating oil. enactment of the Revenue Act of 1934 (or in the case of a person commencing business after such day before incurring any liability for tax under such sections) register with the collector for the district in which is located his principal place of business (or, if he has no principal place of business in the United States, with the collector at Baltimore, Maryland) and shall give a bond, to be approved by such collector, conditioned that he shall not engage in any attempt, by himself or by collusion with others, to defraud the United States tion. of any tax under such sections; that he shall render truly and completely all returns, statements, and inventories required by law or regulations in pursuance thereof and shall pay all taxes due under such sections; and that he shall comply with all requirements of law and regulations in pursuance thereof with respect to tax under such sections. Such bond shall be in such sum as the collector may require in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, but not less than \$2,000. The collector may from time to time require new or additional bond in accordance with this subsection. Every person who fails to register or give bond as required by this subsection, or who in connection with any purchase of gasoline or lubricating oil falsely represents himself to be registered and bonded as provided by this subsection, or who willfully makes any false statement in an application for registration under this subsection, shall upon conviction thereof be fined not more than \$5,000 or imprisoned not more than five years, or both, together with the costs of prosecution. If the Commissioner finds that any manufacturer or producer has at any time evaded any Federal tax on gasoline or lubricating oil, he may revoke the registration of such manufacturer or producer, and no sale to, or for resale to, such manufacturer or producer thereafter shall be tax-free under section 601(c)(1), this section, or section 620, as amended, but such manufacturer or producer shall not be relieved of the requirement of giving bond under this subsection.

"(e) Under regulations prescribed by the Commissioner with etc., open to inspection the approval of the Secretary, records required to be kept with of Government officers. respect to taxes under section 601(c)(1), as amended, or this section, and returns, reports, and statements with respect to such taxes filed with the Commissioner or a collector, shall be open to inspection by such officers of any State or Territory or political

EXCISE TAXES.

Definition of gasoline

Any other liquid mo-tor fuel.

Exception.

Furnishing informa-

Security required.

Penalty provisions.

Revocation of regis-

Vol. 47, pp 259, 267.

766

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SESS, II. CH. 277. MAY 10, 1934. 73d CONGRESS.

EXCISE TAXES.

Copies furnished.

subdivision thereof or the District of Columbia as shall be charged with the enforcement or collection of any tax on gasoline or lubricating oils. The Commissioner and each collector shall furnish to any of such officers, upon written request, certified copies of any such statements, reports, or returns filed in his office upon the payment of a fee of \$1 for each one hundred words or fraction thereof in the copy or copies requested."

Payment by pro-

Wells producing 5 barrels or less per day exempt.

Method of collecting.

Monthly returns.

Producers' tax on SEC. 604. PRODUCERS' TAX ON CRUDE PETROLEUM. crude petroleum.

(a) There is hereby imposed on crude petroleum sold by the producer thereof, a tax of one-tenth of 1 cent per barrel of 42 gallons, to be paid by the producer. Under regulations prescribed by the Commissioner, with the approval of the Secretary, such tax shall not apply to crude petroleum produced from any well which is not

capable of producing more than 5 barrels per day (b) Every person purchasing crude petroleum from the producer thereof, and taking delivery thereof at the premises where produced,

shall collect the tax imposed by subsection (a) from the producer. Every such purchaser, and every producer liable for any tax under this section not so collected from him, shall make monthly returns under oath and pay such taxes to the collector for the district in

which are located the premises where such crude petroleum was pro-

Such returns shall contain such information and be made at

such times and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

(c) Every purchaser required to collect any tax under this section shall make such collection by deducting and withholding the amount of such tax from any payments made by such purchaser to the producer. Every such purchaser is hereby indemnified against the claims and demands of such producer for the amount of any pay-

ments made in accordance with the provisions of this section.

Security, bond re-The Commissioner, with the approval of the Secretary, may

the production of crude petroleum.

quired. require such bond or other security from any person subject to any

lation.

Operator to keep records, make reports, etc.

Inspection of.

provision of this section as he deems necessary for the protection of the revenue and to assure compliance with this section and other Form and conditions provisions of law applicable with respect to the tax imposed by this section, and may prescribe the form and conditions thereof, provide for the approval of the sureties thereon (without regard to any gen-eral provision of law), fix the amount and penalty thereof (whether for the payment of liquidated damages or of a penal sum), and authorize the cancellation of any such bond, in the event of a breach of any condition thereof, upon the payment of such lesser amount Punishment for vio- as he may deem sufficient. Any person willfully failing to comply with any such requirement shall, upon conviction, be fined not more than \$1,000, or imprisoned not more than six months, or both.

(e) In addition to records and reports otherwise required by law

or regulation, every working interest operator of a well producing crude petroleum or otherwise taking crude petroleum from the earth or waters thereof (whether or not the producer as defined in this section) shall keep such records and make such reports with respect to production and disposition of crude petroleum, at such time and in such manner, as the regulations shall prescribe. Records, reports, and returns required under this section or any provision of law applicable with respect to tax under this section shall, wherever held, be open to inspection at all reasonable hours by any duly authorized representative of the Commissioner or any agency of the United States or any State having supervisory or regulatory powers over

(f) For the purposes of this section—

) For the purposes of this section—

(1) the refining of crude petroleum on the premises where pro
EXCISE TAXES.

Operation constituting a sale. duced, the removal of crude petroleum therefrom, or any transfer or other disposition of crude petroleum shall be considered a sale.
(2) the term "producer" means the person owning crude

petroleum or having any interest in or title to crude petroleum at the time of its production.

(3) the term "working interest operator" means the person "Working operator".

having the management and operation of a well.

(4) the amount of crude petroleum produced shall be determined with allowance for any reasonable and bona fide deduction amount sold.

Allowance for basic sediment and water in amount sold. for basic sediment and water agreed upon by the producer and the purchaser for the purpose of determining the amount sold.

(g) The provisions of section 623 and sections 771 to 774, inclu-278. Vol. 47, pp. 268, 277-sive, of the Revenue Act of 1932 shall be applicable with respect to

the tax imposed by this section.

(h) This section shall take effect on the thirtieth day after the In effect in 30 days. date of its enactment.

SEC. 605. TAX ON REFINING OF CRUDE PETROLEUM.

(a) There is hereby imposed (1) on crude petroleum refined or processed in the United States, a tax of one-tenth of one cent per barrel of forty-two gallons, to be paid by the refiner or processor, and (2) on gasoline produced or recovered in the United States from natural gas a tax of one-tenth of one cent per barrel of fortytwo gallons, to be paid by the person producing or recovering such

gasoline.

(b) Every person liable for tax under this section shall make Sworn monthly returns to be made. monthly returns under oath in triplicate for each plant or refinery, and pay such taxes to the collector for the district in which such plant or refinery is located. Such returns shall contain such information and be made at such times and in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector at the time fixed for filing the return. If the tax is not paid when due there shall be added as part of the tax interest at the rate of one per centum a month from the time when the tax becomes due until paid. Every refiner or processor shall (in addition to records otherwise required by law or regulation) keep such records as shall be prescribed by regulations under this section showing daily receipts, als, etc. stocks, and disposals of crude petroleum and the names and addresses of the persons from whom received. Every person handling, transporting, storing, or dealing in any manner in crude petroleum shall keep such records and make such returns with respect to transactions in crude petroleum as shall be required by regulations under this section. Returns and records required under this section shall be open to inspection at all reasonable hours by any duly authorized representative of the Commissioner or any agency of the United States or any State having supervisory or

regulatory powers over the production of crude petroleum.

(c) As used in this section, the term "gasoline" means gasoline "Meaning of term as defined in section 617 of the Revenue Act of 1932, as amended. "Vol. 47, p. 267; Ante, (d) The Commissioner, with the approval of the Secretary, shall prescribe such regulations as he deems necessary for the enforcement prescribed. of this section.

(e) All provisions of law (including penalties) applicable with Existing law provirespect to the taxes imposed by section 600 of the Revenue Act of sions continued. Vol. 44, p. 93 1926, shall, insofar as applicable and not inconsistent with this section, be applicable with respect to the taxes imposed by this section.

interest

"Producer" defined.

Refining crude petro-

Tax imposed, to be paid by the refiner, etc.

Gasoline produced from natural gas.

Payment of tax.

Penalty for delin-

Record of daily re-

Official inspection.

EXCISE TAXES. Effective date of sec-

(f) This section shall take effect on the thirtieth day after the date of the enactment of this Act.

To terminate July 1, 1935. Vol. 47, p. 276

Tax on bank checks, SEC. 606. TERMINATION OF BANK CHECK TAX.

by striking out "July 1, 1935" and inserting in lieu thereof "January 1, 1935".

Enforcement of liability for taxes collected. SEC. 607. ENFORCEMENT OF LIABILITY FOR TAXES COLLECTED.

Whenever any person is required to collect or withhold any internal-revenue tax from any other person and to pay such tax over to the United States, the amount of tax so collected or withheld shall be held to be a special fund in trust for the United States. The amount of such fund shall be assessed, collected, and paid in the same manner and subject to the same provisions and limitations (including penalties) as are applicable with respect to the taxes from which such fund arose.

SEC. 608. TAX ON FURS.

Less than \$75 value exempt. Vol. 47, p. 261.

The tax imposed by section 604 of the Revenue Act of 1932 shall not apply to articles sold by the manufacturer, producer, or importer, after the date of the enactment of this Act, for less than \$75.

Jewelry, etc.

SEC. 609. TAX ON JEWELRY, ETC.

Tax not to apply to articles sold less than \$25. Vol. 47, p. 261.

The tax imposed by section 605 of the Revenue Act of 1932 shall not apply to articles sold by the manufacturer, producer, or importer, after the date of the enactment of this Act, for less than \$25.

Cigarettes.
Vol. 44, p. 87,
amended.

SEC. 610. TAX ON CIGARETTES.
Effective on the day following

Effective on the day following the date of the enactment of this Act, the last two paragraphs of section 400(a) of the Revenue Act of 1926 are amended to read as follows:

Rate on long, etc., modified.

"On cigarettes made of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand, \$3 per thousand;

"Weighing more than three pounds per thousand, \$7.20 per thousand; except that if more than 61/2 inches in length they shall be taxable at the rate provided in the preceding paragraph, counting each 234 inches (or fraction thereof) of the length of each as one cigarette."

Matches.

Weight.

SEC. 611. TAX ON MATCHES.

Rate on fancy wooden, etc., increased.
Vol. 47, p. 264, section 612 of the Revenue Act of 1932 (relating to the tax on matches), is amended by adding before the period at the end thereof a comma and the following: "and except that in the case of fancy wooden matches and wooden matches having a stained, dyed, or colored stick or stem, packed in boxes or in bulk, the tax shall be

Stamp tax on sales SEC. 612. STAMP TAX ON SALES OF PRODUCE FOR FUTURE DEdelivery. LIVERY.

Rate reduced. Vol. 44, p. 102.

(a) Effective on the day following the enactment of this Act subdivision 4 of Schedule A of Title VIII of the Revenue Act of 1926, as amended, is amended by striking out "5 cents" wherever appearing in such subdivision, and inserting in lieu thereof "3 cents".

Contracts for future delivery

(b) Section 726(c) of the Revenue Act of 1932 is amended by striking out "'5 cents'" and inserting in lieu thereof "'3 cents'".

SEC. 613. TERMINATION OF TAX ON USE OF BOATS.

EC. 613. TERMINATION OF TAX ON USE OF BOATS.

Section 761 of the Revenue Act of 1932, as amended, shall not Tax on use of, to terminate, June 30, 1934.

EXCISE TAXES.
Foreign and domestic built boats.
Tax on use of, to terminate, June 30, 1934. apply to the use of any boat after June 30, 1934.

SEC. 614. TERMINATION OF TAX ON CANDY.

Ine tax imposed by section 613 of the Revenue Act of 1932 shall Tax on repealed. not apply to candy sold by the manufacturer, producer, or amended.

Tax on repealed. Vol. 47, p. 264, importer after the detact of the control of the importer after the date of the enactment of this Act.

Candy

TITLE V—CAPITAL STOCK AND EXCESS-PROFITS AND FXCESS. TRAVES TRAVES TAXES

SEC. 701. CAPITAL STOCK TAX.

(a) For each year ending June 30, beginning with the year end- end-on domestic corporating June 30, 1934, there is hereby imposed upon every domestic corporations. poration with respect to carrying on or doing business for any part of such year an excise tax of \$1 for each \$1,000 of the adjusted declared value of its capital stock.

(b) For each year ending June 30, beginning with the year ending doing business in June 30, 1934, there is hereby imposed upon every foreign corporations or United States. tion with respect to carrying on or doing business in the United States for any part of such year an excise tax equivalent of \$1 for each \$1,000 of the adjusted declared value of capital employed in the transaction of its business in the United States.

(c) The taxes imposed by this section shall not apply—
(1) to any corporation enumerated in section 101;

(2) to any insurance company subject to the tax imposed by section 201, 204, or 207;

June 30, 1934, if it did not carry on or do business during a part riod; to June 30, 1934. of the period from the date of the anattment of the date of the da of the period from the date of the enactment of this Act to June 30, 1934, both dates inclusive; or

(4) to any foreign corporation in respect of the year ending June 30, 1934, if it did not carry on or do business in the United States during a part of the period from the date of the enactment of this Act to June 30, 1934, both dates inclusive.

(d) Every corporation liable for tax under this section shall make be made. Sworn declaration to a return under oath within one month after the close of the year with respect to which such tax is imposed to the collector for the district in which is located its principal place of business or, if it has no principal place of business in the United States, then to the collector at Baltimore, Maryland. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable to the collector before the expiration of the period for filing the return. If the tax is not paid when due, there shall be added as part of the tax interest at the rate of 1 per centum a month from the time when the tax became due until paid. All provisions of law (including penalties) applicable in respect of of existing law conthe taxes imposed by section 600 of the Revenue Act of 1926 shall, tinued. Vol. 44, p. 93. insofar as not inconsistent with this section, be applicable in respect of the taxes imposed by this section. The Commissioner may extend the time for making the returns and paying the taxes imposed by this section, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than sixty days.

Capital stock.

Exemptions. Ante. p 700.

Foreign corporations.

Information required.

Payment of tax.

Time may be ex-

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CAPITAL STOCK AND EXCESS-PROFITS TAXES. Returns open to offi-cial inspection. Vol. 44, p. 10.

Basis for capital stock tax. Computation, first year.

Subsequent years.

Cash and fair market value paid in for stock,

(e) Returns required to be filed for the purpose of the tax imposed by this section shall be open to inspection in the same manner, to the same extent, and subject to the same provisions of law, including penalties, as returns made under Title II of the Revenue Act of 1926.

(f) For the first year ending June 30 in respect of which a tax for is imposed by this section upon any corporation, the adjusted declared value shall be the value, as declared by the corporation in its first return under this section (which declaration of value cannot be amended), as of the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section (or as of the date of organization in the case of a corporation having no income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section). For any subsequent year ending June 30, the adjusted declared value in the case of a domestic corporation shall be the original declared value plus (1) the cash and fair market value of property paid in value paid in for stock, etc.

Paid in surplus, etc.
Net income.

Pividend deduction to by section 24(a) (5) of such title, and (5) the amount of the for income tax.

Minus property, dividend deduction allowable for income tax purposes, and minus (A) the value of property distribution.

Walto paid in for stock, etc. (2) paid in surplus and contributions to capital, for stock or shares, (2) paid in surplus and contributions to capital, the taxes imposed by Title I over the amount disallowed as a deduction income tax.

Minus property, dividend deduction allowable for income tax purposes, and minus (A) the value of property distributions.

distributions of earnings or profits, and (C) the excess of the deduction distributions of earnings or profits. distributions of earnings or profits, and (C) the excess of the deducAdjustments and tions allowable for income tax purposes over its gross income; adjustment being made for each income-tax taxable year included in the period from the date as of which the original declared value was declared to the close of its last income-tax taxable year ending at or prior to the close of the year for which the tax is imposed by this section. The amount of such adjustment for each such year shall be computed (on the basis of a separate return) according to the income tax law applicable to such year. For any subsequent year ending June 30, the adjusted declared value in the case of a foreign corporation shall be the original declared value adjusted (for the same income-tax taxable years as in the case of a domestic corporation), in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, to reflect increases or decreases in the capital employed in the transaction of its business in the United States.

Excess-profits tax.

Computation.

Fraction of year.

SEC. 702. EXCESS-PROFITS TAX.

Levy upon net income of corporation taxable under capital tion, for each income-tax taxable year ending after the close of the first year in respect of which it is taxable under section 701, an excessprofits tax equivalent to 5 per centum of such portion of its net income for such income-tax taxable year as is in excess of 12½ per centum of the adjusted declared value of its capital stock (or in the case of a foreign corporation the adjusted declared value of capital employed in the transaction of its business in the United States) as of the close of the preceding income-tax taxable year (or as of the date of organization if it had no preceding income-tax taxable year) determined as provided in section 701. If the income-tax taxable year in respect of which the tax under this section is imposed is a period of less than 12 months, such adjusted declared value shall be reduced to an amount which bears the same ratio thereto as the number of months in the period bears to 12 months. For the purposes of this section the net income shall be the same as the net income for income tax purposes for the year in respect of which the tax under this section is imposed.

(b) All provisions of law (including penalties) applicable in CAPITAL STOCK respect of the taxes imposed by Title I of this Act, shall, insofar as PROFITS TAXES. not inconsistent with this section, be applicable in respect of the tax imposed by this section, except that the provisions of section 131 of that title shall not be applicable.

Laws applicable.

that title shall not be applicable. SEC. 703. CAPITAL STOCK TAX AND EXCESS-PROFITS TAX IMPOSED BY NATIONAL INDUSTRIAL RECOVERY ACT. Capital stock tax and excess-profits tax imposed by National Industrial Recovery Act.

Sections 217(d) and (e) of the National Industrial Recovery Act are amended to read as follows:

Ante, p. 209.

"(d) The capital-stock tax imposed by section 215 shall not apply Levy under, as to to any taxpayer in respect of any year except the year ending June berein, terminated. 30, 1933.

to any taxpayer in respect of any taxable year ending after June 30, 1934." "(e) The excess-profits tax imposed by section 216 shall not apply Ante, pp. 207, 208,

TITLE VI—GENERAL PROVISIONS

GENERAL PROVI-SIONS.

SEC. 801. DEFINITIONS.

(a) When used in this Λct —

Definitions.

(1) The term "person" means an individual, a trust or estate,

"Person."

a partnership, or a corporation.
(2) The term "corporation" includes associations, joint-stock

"Corporation."

companies, and insurance companies.

"Partnership."

(3) The term "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this Act, a trust or estate or a corporation; and the term "partner" includes a member in such a syndicate, group, pool, joint venture, or organization.

"Partner."

(4) The term "domestic" when applied to a corporation or partnership means created or organized in the United States or "Domestic."

under the law of the United States or of any State or Territory.

(5) The term "foreign" when applied to a corporation or partnership means a corporation or partnership which is not

"Foreign."

domestic. (6) The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any

"Fiduciary."

fiduciary capacity for any person. (7) The term "withholding agent" means any person required to deduct and withhold any tax under the provisions of section

"Withholding agent."

143 or 144. (8) The term "stock" includes the share in an association,

"Stock."

joint-stock company, or insurance company. (9) The term "shareholder" includes a member in an associa-

"Shareholder."

tion, joint-stock company, or insurance company.

(10) The term "United States" when used in a geographical

"United States."

sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(11) The term "Secretary" means the Secretary of the

Treasury

"Secretary."

(12) The term "Commissioner" means the Commissioner of Internal Revenue.

"Commissioner."

(13) The term "collector" means collector of internal revenue.
(14) The term "taxpayer" means any person subject to a tax

"Collector."

imposed by this Act.

"Taxpayer."

duding.

GENERAL PROVI- (b) The terms "includes" and "including" when used in a defi"Includes" and "in- nition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

Separability clause.

SEC. 802. SEPARABILITY CLAUSE.

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Effective date

SEC. 803. EFFECTIVE DATE OF ACT.

Except as otherwise provided, this Act shall take effect upon its enactment.

Approved, May 10, 1934, 11.40 a.m.

[CHAPTER 278.]

AN ACT

May 10, 1934. [S. 2460.] [Public, No. 217.]

To limit the operation of statutes of limitations in certain cases.

Be it enacted by the Senate and House of Representatives of the Statute of limita- United States of America in Congress assembled, That whenever tions.

Return of new indict an indictment is found defective or insufficient for any cause, after ment after period pre-scribed by, has expired the period prescribed by the applicable statute of limitations has expired, a new indictment may be returned at any time during the next succeeding term of court following such finding, during which a grand jury thereof shall be in session.

If period will expire before end of next reg-ular term.

SEC. 2. Whenever an indictment is found defective or insufficient for any cause, before the period prescribed by the applicable statute of limitations has expired, and such period will expire before the end of the next regular term of the court to which such indictment was returned, a new indictment may be returned not later than the end of the next succeeding term of such court, regular or special, following the term at which such indictment was found defective or insufficient, during which a grand jury thereof shall be in session.

Sec. 3. In the event of reindictment under the provisions of this Act the defense of the statute of limitations shall not prevail against the new indictment, any provision of law to the contrary notwithstanding.

Defense of statute not to prevail against new indictment. Not applicable when statute has run.

SEC. 4. The provisions of this Act shall not apply to any indictment against which the statute of limitations has run at the date of approval hereof.

Approved, May 10, 1934.

[CHAPTER 279.]

AN ACT

May 11, 1934. [S. 285.] [Public, No. 218.]

To authorize the addition of certain lands to the Ochoco National Forest, Oregon.

Description of added

Be it enacted by the Senate and House of Representatives of the Ochoco National United States of America in Congress assembled, That the following Forest, Oreg.

Lands added to.

Cochoco National United States of America in Congress assembled, That the following described public lands are hereby included in and made a part of the Ochoco National Forest, Oregon, subject to all the laws and Prior rights not regulations applicable to national forests, but such inclusion shall not affect any artists and part of the control of t not affect any entry or vested rights acquired under the public land laws prior to the passage of this Act: The west half southeast quarter, and the southwest quarter section 7; the southwest quarter northeast quarter, the northwest quarter northwest quarter, the south

half northwest quarter, the north half southwest quarter, the southeast quarter southwest quarter, the north half southeast quarter, and the southwest quarter southeast quarter section 17; the north half northeast quarter, the southwest quarter northeast quarter, the west half southeast quarter, and the west half section 18; and all of section 19; all in township 13 south, range 24 east, Willamette

Approved, May 11, 1934.

[CHAPTER 280.]

AN ACT

To amend the United States mining laws applicable to the Mount Hood National Forest within the State of Oregon.

May 11, 1934. [S. 1506.] [Public, No. 219.]

Be it enacted by the Senate and House of Representatives of the mining locations made under the United States mining laws upon tional Forest, Oreg. Mining locations; lands within the Mount Hood National Forest in the State of Oregon rights of locator. shall confer on the locator the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: Provided, however, That the cutting and removal of or occupancy: Provided, however, That the cutting and removal of Proviso. Cutting and removal timber, except where clearing is necessary in connection with mining of timber. operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

Sec. 2. That hereafter all patents issued under the United States mining laws affecting lands within the Mount Hood National Forest within the State of Oregon shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all surtitle in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Forest Service.

Sec. 3. That valid mining claims within the Mount Hood National Forest in the State of Oregon existing on the date of enactment of mining claims. this Act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of Oregon, may be perfected under this Act, or under the law under which they were initiated, as the claimant may desire.

Approved, May 11, 1934.

No permit required.

Patents to convey title to mineral deposits.

Timber removal.

Surface rights re-

Perfecting existing

[CHAPTER 281.]

AN ACT

May 11, 1934. [S. 3099] [Public, No. 220.]

Authorizing the City of Wheeling, a municipal corporation, to construct, maintain, and operate a bridge across the Ohio River, at Wheeling, West Virginia.

Ohio River. Wheeling, W.Va., may bridge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postage service, and to provide for military and other purposes, the City of Wheeling, a municipal corporation of West Virginia, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, in Wheeling, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

Tolls authorized, to be applied to operation, sinking fund, etc. Sec. 2. The said municipality of Wheeling may charge toll for the use of said bridge, which rates of toll may be so adjusted as to provide a fund sufficient to pay (a) the reasonable cost of maintenance, repair, and operation of the said bridge and its approaches; and (b) the amortization within a reasonable time and not exceeding twenty-five years from the date that the bridge is opened to traffic, and under reasonable condition of any loan or loans including reasonable interest, taxes, and financing charges made, or to be made in connection with the construction of said bridge and its approaches.

Record of expenditures and receipts.

Sec. 3. An accurate record of the cost of the bridge and its approaches and of all expenditures for maintaining, repairing, and operating the same, and of the tolls collected from time to time shall be kept and shall at all reasonable times be available for the information of all persons interested in the construction, operation, and maintenance thereof.

Right to sell, etc., conferred.

Sec. 4. The right to sell, assign, transfer, mortgage, or pledge any or all of the rights, powers, and privileges conferred by this Act is hereby granted to the said City of Wheeling or any corporation to which, or any person to whom, such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same through mortgage, pledge, foreclosure, or otherwise, including therein the United States of America acting by or through the President, the Federal Emergency Administrator of Public Works, such other agency or agencies as may be designated or created for such purpose pursuant to the National Industrial Recovery Act or any other amendment or supplement thereto, or any other agency or agencies as may be created for such purpose by the Congress of the United States, and such person or corporation is hereby authorized and empowered to exercise all of the rights, powers, and privileges conferred upon the City of Wheeling as fully as though conferred herein directly upon such corporation or person.

Maintenance as free bridge after amortizing costs.

SEC. 5. Whenever a sum sufficient to amortize and pay off the amount of money used in building and constructing said bridge shall have been collected, the City of Wheeling shall declare said bridge free and open to the use of the general public without the imposition of any further tolls or charges for the use of said bridge.

SEC. 6. The right to alter, amend, or repeal this Act is hereby

Amendment.

expressly reserved.
Approved, May 11, 1934.

[CHAPTER 282.]

AN ACT

To amend the Act of May 25, 1926, entitled "An Act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes.

May 14, 1934. [S. 618.] [Public, No. 221.]

and third provisos of section 3 of the Act of May 25, 1926, entitled "An Act to provide for the establishment of the Mammoth Cave Note and the State of Kentucky, and for other purposes" p. 305.

Mammoth Cave National Park, Ky. Vol. 44, p. 636, amended. U.S.C., Supp. VII, be, and the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, amended to read as follows: "A provided further. That the same are hereby, and the same are hereby, amended to read as follows: "A provided further. That the same are hereby, and the same are her Be it enacted by the Senate and House of Representatives of the provided further, That the minimum area to be administered and protected by the National Park service shall be, for the said Mammoth Cave National Park, twenty thousand acres: Provided further, That no general development of said area shall be undertaken until a major portion of the remainder in such area, including all the caves thereof, shall have been accepted by said Secretary, and sion fees. he shall have established a schedule of fees for admission to such caves.'

Development contingent upon acceptance.

Schedule of admis-

Acquisition of lands.

Sec. 2. That in the establishment of the said Mammoth Cave National Park the Secretary of the Interior is hereby authorized to accept donations of money for the acquisition of lands and rights therein and to acquire the same by purchase, condemnation, or

Approved, May 14, 1934.

[CHAPTER 283.]

AN ACT

To amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to orders of State administrative boards.

May 14, 1934. [S. 752.] [Public, No. 222.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first amendments.

Didicial Code, paragraph of section 24 of the Judicial Code, as amended. is amended United States district paragraph of section 24 of the Judicial Code, as amended, is amended by adding at the end thereof the following: "Notwithstanding the jurisdiction of any suit to enjoin, suspend, or restrain the enforcement, operation, or execution of any order of an administrative board or commission of a State, or any rate-making body of any political subdivision thereof, or to enjoin, suspend or restrain care in the enforce of State administrative board vol. 36, p. 1091; U.S.C., p. 866. compliance with any such order, where jurisdiction is based solely upon the ground of diversity of citizenship, or the repugnance of such order to the Constitution of the United States, where such order (1) affects rates chargeable by a public utility, (2) does not interfere with interstate commerce, and (3) has been made after reasonable notice and hearing, and where a plain, speedy, and efficient remedy may be had at law or in equity in the courts of such State."

courts.

SEC. 2. The provisions of this Act shall not affect suits commenced pending suits not affect suits commenced feeted. in the district courts, either originally or by removal, prior to its passage; and all such suits shall be continued, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this Act had not been passed.

Approved, May 14, 1934.

73d CONGRESS. SESS. II. CHS. 284-286. MAY 14, 1934.

[CHAPTER 284.]

AN ACT

May 14, 1934. [S. 1810.] [Public, No. 223.]

Spanish War Service Medal. Length of service to qualify for, repealed. Vol. 40, p. 873.

To amend the Act authorizing the issuance of the Spanish War Service Medal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph under the subheading "Medals of Honor, Distinguished Service Crosses, and Distinguished Service Medals" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nineteen", approved July 9, 1918 (40 Stat.L. 845, 873), as amended, is amended by striking out "not less than ninety days." Approved, May 14, 1934.

[CHAPTER 285.]

AN ACT

May 14, 1934. [S. 2681] [Public, No. 224.]

Authorizing the Secretary of the Navy to make available to the municipality of Aberdeen, Washington, the United States ship Newport.

No Federal expense.

Proviso.

Be it enacted by the Senate and House of Representatives of the Transfer of U.S.S. United States of America in Congress assembled, That the Secretary "Newport" to, author of the Navy is hereby authorized and directed to the Navy is hereby authorized an municipality of Aberdeen, Washington, the United States ship Newport for use of the Grays Harbor district in connection with the training of the Naval Reserve organization of the district: Provided, That no expense to the Government shall be involved.

Approved, May 14, 1934.

[CHAPTER 286.]

AN ACT

May 14, 1934. [S. 2901.] [Public, No. 225.]

To authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Arkansas into the Union.

Number.

No Federal expense for dies, etc.

Arkansas centennial. Silver 50-cent pieces to be coined in commemoration of.

State of Arkansas centennial. United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the admission of the State of Arkansas centennial. Be it enacted by the Senate and House of Representatives of the State of Arkansas into the Union there shall be coined at the mints

> of the United States five hundred thousand silver 50-cent pieces of such design as the Director of the Mint, with the approval of the

Coinage laws appli-

Secretary of the Treasury, may select; but the United States shall not be subject to the expense of making the models or master dies or other preparations for this coinage.

Sec. 2. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regu-

cable. U.S.C., p. 995.

lating and guarding the process of coinage, providing for the purchase of material, for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage authorized by this Act.

Issue of coins.

SEC. 3. The coins authorized by this Act shall be issued only to the Arkansas Honorary Centennial Celebration Commission, or its duly authorized agent, in such numbers, and at such times as they shall be requested by such Commission or any such agent, and upon payment to the United States of the face value of such coins.

Approved, May 14, 1934.

[CHAPTER 289.]

AN ACT

Providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

May 15, 1934. [S. 2313] [Public, No 226.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or

Public lands.

Mining claims assessments suspended for fiscal year 1934.

R.S., sec. 2324, p. 426.
U.S.C., p. 955. issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, united States, including Alaska, during the year beginning at 12 o'clock meridian July 1, 1933, and ending at 12 o'clock meridian July 1, 1934: Provided, That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from rederal income tax the payment of a Federal income tax for the taxable year 1933: excluded.

Provided further, That every claimant of any such mining claim, Notice of retaining claim to be filed. and the same is hereby, suspended as to all mining claims in the in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian, July 1, 1934, a notice of his desire to hold said mining claim under this Act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1933: And provided further, That such suspension of assessment work shall not apply to more than six lode-mining claims held by the same person, nor to more than twelve lode-mining claims held by the same partnership, association, or corporation: And provided further, That such suspension of assessment work shall not apply to more than six placer-mining claims not to exceed one hundred and twenty acres (in all) held by the same person, nor to more than twelve placer-mining claims not to exceed two hundred and forty acres (in all) held by the same partnership, association, or corporation.

Limited to six lode-mining claims.

Placer-mining claims.

Approved, May 15, 1934.

[CHAPTER 290.]

AN ACT

To amend sections 203 and 207 of the Hawaiian Homes Commission Act, 1920 (U.S.C., title 48, secs. 697 and 701), conferring upon certain lands of Auwaio-limu, Kewalo, and Kalawahine, on the island of Oahu, Territory of Hawaii, the status of Hawaiian home lands, and providing for the leasing thereof for residence purposes.

Be it enacted by the Senate and House of Representatives of the

May 16, 1934. [H.R. 8052.] [Public, No. 227.]

United States of America in Congress assembled, That paragraph Commission Act, 1920 amendments.

(4) of section 203 of the Hawaiian Homes Commission Act, 1920 amendments.

(U.S.C., title 48, sec. 697), is hereby amended to read as follows:

"(4) On the island of Oahu: Nanakuli (three thousand acres, landindesignated areas more or less), and Lualualei (two thousand acres, more or less), in the status of home the District of Waianae; and Waimanalo (four thousand acres. the District of Waianae; and Waimanalo (four thousand acres, more or less), in the District of Koolaupoko, excepting therefrom the military reservation and the beach lands; and those certain portions of the lands of Auwaiolimu and Kewalo described by metes

and bounds as follows, to wit: "(i) Portion of the Government land of Auwaiolimu, Punch-bowl Hill, Honolulu, Oahu, described as follows: Beginning at a

pipe at the southeast corner of this tract of land, on the boundary between the lands of Kewalo and Auwaiolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl' being one thousand one hundred and thirtyDescription.

Description-Contd. five and nine tenths feet north and two thousand five hundred and fifty-seven and eight tenths feet east as shown on Government survey registered map numbered 2692, and runing 1 by true azimuths:

(1) One hundred and sixty-three degrees thirty-one minutes two hundred and thirty-eight and eight tenths feet along the east side of the Punchbowl-Makiki Road;

(2) Ninety-four degrees eight minutes one hundred and twentyfour and nine tenths feet across Tantalus Drive and along the east

side of Puuowaina Drive;
"(3) One hundred and thirty-one degrees thirteen minutes two hundred and thirty-two and five tenths feet along a twenty-five foot roadway;

"(4) One hundred and thirty-nine degrees fifty-five minutes twenty

and five-tenths feet along same;

"(5) One hundred and sixty-eight degrees seventeen minutes two hundred and fifty-seven and eight-tenths feet along Government land (old quarry lot);

"(6) One hundred and fifty-six degrees thirty minutes three hun-

dred and thirty-three feet long same to a pipe;

"(7) Thence following the old Auwaiolimu stone wall along L. C. Award numbered 3145, to Laenui, grant numbered 5147 (lot 8 to C. W. Booth), L. C. Award numbered 1375 to Kapule, and L. C. Award numbered 1355 to Kekuanoni, the direct azimuth and distance being two hundred and forty-nine degrees forty-one minutes one thousand three hundred and three and five-tenths feet;

"(8) Three hundred and twenty-one degrees twelve minutes six hundred and ninety-three feet along the remainder of the land of

Auwaiolimu;

"(9) Fifty-one degrees twelve minutes one thousand four hundred feet along the land at Kewalo to the point of beginning; containing an area of twenty-seven acres; excepting and reserving there-

from Tantalus Drive, crossing this land.

"(ii) Portion of the land of Kewalo, Punchbowl Hill, Honolulu, Oahu, being part of the lands set aside for the use of the Hawaii Experiment Station of the United States Department of Agriculture by proclamation of the Acting Governor of Hawaii, dated June 10, 1901, and described as follows: Beginning at the northeast corner of this lot, at a place called 'Puu Ea' on the boundary between the lands of Kewalo and Auwaiolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being three thousand two hundred and fiftyfive and six-tenths feet north and five thousand two hundred and forty-four and seven-tenths feet east, as shown on Government survey registered map numbered 2692 of the Territory of Hawaii, and running by true azimuths:

"(1) Three hundred and fifty-four degrees thirty minutes nine hundred and thirty feet along the remainder of the land of Kewalo. to the middle of the stream which divides the lands of Kewalo and

Kalawahine:

"(2) Thence down the middle of said stream along the land of Kalawahine, the direct azimuth and distance being forty-nine degrees sixteen minutes one thousand five hundred and twelve and five-tenths feet;

"(3) One hundred and forty-one degrees twelve minutes eight hundred and sixty feet along the remainder of the land of Kewalo;

"(4) Two hundred and thirty-one degrees twelve minutes five hundred and fifty-two and six-tenths feet along the land of Auwaiolimu to Puu Iole;

¹ So in original.

"(5) Thence still along the said land of Auwaiolimu following the top of the ridge to the point of beginning, the direct azimuth and distance being two hundred and thirty-two degrees twenty-six minutes one thousand four hundred and seventy feet, containing an area of thirty acres; excepting and reserving therefrom Tantalus Drive, crossing this land.

"(iii) Together with that portion of the land of Kalawahine (twenty-five acres, more or less), makai of Tantalus Drive, and lying between the portion of the land of Kewalo above described and the

so-called 'Kalawahine lots', in the District of Honolulu."

SEC. 2. Paragraph (3) of subsection (a) of section 207 of the Vol. 4.

Hawaiian Homes Commission Act, 1920, as amended (U.S.C., title amended. 48, sec. 701), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: Kewalo, and Kalawahine on the island of Oahu under the control of residence purposes of the Commission, shall be leased only for residence purposes in individual lots the area of which shall be not leastly. individual lots the area of which shall be not less than one eighth

of an acre nor more than one half of an acre per lot."

Sec. 3. Notwithstanding the provisions of the Hawaiian Homes

Specified lands given preference. Hawaiians, persons, whether or not native Hawaiians as defined by such Act, as amended, who are on the date of the enactment of this Act residing on the lands of Auwaiolimu, Kewalo, and Kalawahine on the island of Oahu placed under the control of the Hawaiian Homes Commission by this Act, shall be given first opportunity to lease such lands on which they reside.

Sec. 4. This Act shall take effect on and after the date of its

Approved, May 16, 1934.

[CHAPTER 292.]

AN ACT

To add certain lands to the Boise National Forest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to Boise National For-existing valid claims or entries and withdrawals, the following-Lands added to. existing valid claims or entries and withdrawals, the followingdescribed lands are hereby added to the Boise National Forest, Idaho, and made subject to all laws applicable to national forests:

Sections 25 and 26; east half section 27; east half section 34; and section 35, township 8 north, range 5 east, Boise meridian.

Sections 1 and 2; sections 11 to 14, inclusive; sections 23 to 27, inclusive; and sections 34 to 36, inclusive; township 7 north, range 3 east, Boise meridian.

Sections 1, 2, and 3; sections 6 and 7; sections 10 to 13, inclusive; and sections 15 to 36, inclusive; township 7 north, range 4 east, Boise

Sections 1 and 2; sections 4 to 28, inclusive; and sections 30 to 36,

inclusive; township 7 north, range 5 east, Boise meridian.

Sections 1 to 3, inclusive; sections 10 to 15, inclusive; sections 22 to 27, inclusive; and sections 34 to 36, inclusive; township 6 north, range 3 east, Boise meridian.

Sections 1 to 36, inclusive, township 6 north, range 4 east, Boise

meridian.

Sections 1 to 21, inclusive; sections 24 and 25; and sections 28 to 36, inclusive; township 6 north, range 5 east, Boise meridian.

Sections 1 to 36, inclusive, township 6 north, range 6 east, Boise meridian.

Description-Contd.

Leases. Vol. 42, p

Effective date.

May 17, 1934. [S. 8.] [Public, No. 228.]

Description.

Sections 1 and 2; sections 11 to 14, inclusive; sections 23 to 26, inclusive; and sections 35 and 36; township 5 north, range 2 east, Boise meridian.

Sections 1 to 36, inclusive, township 5 north, range 3 east, Boise

meridian.

Sections 1 to 36, inclusive, township 5 north, range 4 east, Boise meridian.

Sections 1 to 36, inclusive, township 5 north, range 5 east, Boise meridian.

Sections 1 to 6, inclusive; sections 8 to 17, inclusive; sections 21 to 27, inclusive; and sections 35 and 36, township 4 north, range 3 east, Boise meridian.

Sections 1 to 36, inclusive, township 4 north, range 4 east, Boise

meridian.

Sections 1, 2, 11, and 12, township 3 north, range 3 east, Boise

Sections 1 to 13, inclusive; and northwest quarter of section 14; township 3 north, range 4 east, Boise meridian; not heretofore included within the Boise National Forest, Idaho; all ranges east,

Approved, May 17, 1934.

, [CHAPTER 293.]

Boise meridian.

AN ACT

May 17, 1934. [S. 3144.] [Public, No. 229.]

To legalize a bridge across the Saint Louis River at or near Cloquet, Minnesota.

Construction. Vol. 34, p. 84. Amendment.

Be it enacted by the Senate and House of Representatives of the Saint Louis River.
Bridge across, near Cloquet, Minn., legal now being constructed over Saint Louis River at or near Cloquet, lead.

Minnesote by the Highway Department of the State of Minnesote Minnesota, by the Highway Department of the State of Minnesota, if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War as providing suitable facilities for navigation, and operated as a free bridge, shall be a lawful structure, and shall be subject to the conditions and limitations of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, May 17, 1934.

[CHAPTER 299.]

AN ACT

May 18, 1934. [S. 2080.] [Public, No. 230.]

To provide punishment for killing or assaulting Federal officers.

Be it enacted by the Senate and House of Representatives of the Criminal Code United States of America in Congress assembled, That whoever Killing, assaulting Shall kill, as defined in sections 273 and 274 of the Criminal Code, Vol. 35, p. 1143.

Note the ended by the Schule and House of Representatives of the amendments.

Code United States of America in Congress assembled, That whoever scholars of the Criminal Code, any United States marshal or deputy United States marshal, special agent of the Division of Investigation of the Department of Justice, post-office inspector, Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code.

Punishment.

SEC. 2. Whoever shall forcibly resist, oppose, impede, intimidate, or interfere with any person designated in section 1 hereof while engaged in the performance of his official duties, or shall assault him on account of the performance of his official duties, shall be fined not more than \$5,000, or imprisoned not more than three years, or both; and whoever, in the commission of any of the acts described in this section, shall use a deadly or dangerous weapon shall be fined not more than \$10,000, or imprisoned not more than ten years, or both.

Forcible resistance,

Punishment.

Approved, May 18, 1934.

[CHAPTER 300.]

AN ACT

Applying the powers of the Federal Government, under the commerce clause of the Constitution, to extortion by means of telephone, telegraph, radio, oral message, or otherwise.

May 18, 1934. [S. 2249.] [Public, No. 231.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever, Extortion messages in interstate commerce. with intent to extort from any person, firm, association, or corporation any money or other thing of value, shall transmit in interstate commerce, by any means whatsoever, any threat (1) to injure the person, property, or reputation of any person, or the reputation of a deceased person, or (2) to kidnap any person, or (3) to accuse any person of a crime, or (4) containing any demand or request for a ransom or reward for the release of any kidnaped person, shall upon conviction be fined not more than \$5,000 or imprisoned not more than twenty years, or both: Provided, That the term "interstate commerce" shall include communication from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia: Provided further, That nothing herein shall amend or repeal section 338a, title 18, United States Code (47 U.S.C., Supp. VII, p. 349. Stat. 649).

Punishment for trans-mitting.

Approved, May 18, 1934.

[CHAPTER 301.]

AN ACT

To amend the Act forbidding the transportation of kidnaped persons in interstate _ commerce.

May 18, 1934. [S. 2252.] [Public, No. 232]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Act of June 22, 1932 (U.S.C., ch. 271, title 18, sec. 408a), be, and the same is hereby, amended to read as follows:

Federal Kidnaping Act, amended. Vol. 47, p. 326; U.S.C., Supp. VII, p. 351.

"Whoever shall knowingly transport or cause to be transported, Transporting kid-or aid or abet in transporting, in interstate or foreign commerce, any ing for ransom. person who shall have been unlawfully seized, confined, inveigled, decoyed, kidnaped, abducted, or carried away by any means whatsoever and held for ransom or reward or otherwise, except, in the case of a minor, by a parent thereof, shall, upon conviction, be punished (1) by death if the verdict of the jury shall so recommend, provided that the sentence of death shall not be imposed by the court if, prior to its imposition, the kidnaped person has been liberated unharmed, or (2) if the death penalty shall not apply nor be imposed the convicted person shall be punished by imprisonment in the penitentiary for such term of years as the court in its discretion shall determine: Provided, That the failure to release such person within seven days after he shall have been unlawfully seized, ure to release person confined inveigled decoved kidnaged abducted or carried away within seven days.

confined, inveigled, decoyed, kidnaped, abducted, or carried away

Minor by a parent excepted.

Penalties.

Proviso

shall create a presumption that such person has been transported in interstate or foreign commerce, but such presumption shall not be conclusive.

"Interstate or foreign commerce" defined.

"SEC. 2. The term 'interstate or foreign commerce', as used herein, shall include transportation from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

Punishment for con-spiracy to violate pro-visions herein.

"Sec. 3. If two or more persons enter into an agreement, confederation, or conspiracy to violate the provisions of the foregoing Act and do any overt act toward carrying out such unlawful agreement, confederation, or conspiracy, such person or persons shall be punished in like manner as hereinbefore provided by this Act." Approved, May 18, 1934.

[CHAPTER 302.]

AN ACT

May 18, 1934. [S. 2253.] [Public, No. 233]

Making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution or the giving of testimony in certain cases.

Interstate flight of accused persons or wit-

Punishment.

Jurisdiction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to move or travel in interstate or foreign commerce from any State, Territory, or possession of the United States, or the District of Columbia, with intent either (1) to avoid prosecution for murder, kidnaping, burglary, robbery, mayhem, rape, assault with a dangerous weapon, or extortion accompanied by threats of violence, or attempt to commit any of the foregoing, under the laws of the place from which he flees, or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of a felony is charged. Any person who violates the provision of this Act shall, upon conviction thereof, be punished by a fine of not more than \$5,000 or by imprisonment for not longer than five years, or by both such fine and imprisonment. Violations of this Act may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed.

Approved, May 18, 1934.

[CHAPTER 303.]

AN ACT

May 18, 1934. [S. 2575.] [Public, No. 234.]

To define certain crimes against the United States in connection with the administration of Federal penal and correctional institutions and to fix the punishment therefor.

Causing mutiny; aiding escapes.
Vol. 46, p. 327, amended.

Be it enacted by the Senate and House of Representatives of the Federal penal and correctional institu-tions.
Crimes connected with administration of or employee of the United States, or any other person who instigates. or employee of the United States, or any other person who instigates, connives at, wilfully attempts to cause, assists in, or who conspires with any other person or persons to cause any mutiny, riot, or escape at such penal or correctional institution; or any such officer or employee or any other person who, without the knowledge or consent of the warden or superintendent of such institution, conveys or causes to be conveyed into such institution, or from place to place within such institution, or knowingly aids or assists therein, any tool, device, or substance designed to cut, abrade, or destroy the materials, or any part thereof, of which any building or buildings of such institution are constructed, or any other substance or thing

designed to injure or destroy any building or buildings, or any part thereof, of such institution; or who conveys or causes to be conveyed Smuggling firearms, into such institution, or from place to place within such institution, or aids or assists therein, or who conspires with any other person or persons to convey or cause to be conveyed into such institution, or from place to place within such institution, any firearm, weapon, explosive, or any lethal or poisonous gas, or any other substance or thing designed to kill, injure, or disable any officer, agent, employee, or inmate thereof, shall be punished by imprisonment for a period of not more than ten years.

Punishment for.

Sec. 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Conflicting laws re-

Approved, May 18, 1934.

[CHAPTER 304.]

AN ACT

To provide punishment for certain offenses committed against banks organized r operating under laws of the United States or any member of the Federal

May 18, 1934. IS. 2841. [Public, No. 235]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in banks. Offenses again this Act the term "bank" includes any member bank of the Federal "Bank" defined. Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operating under the laws of the United States.

Offenses against

Sec. 2. (a) Whoever, by force and violence, or by putting in fear, feloniously takes, or feloniously attempts to take, from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

Robbery.

(b) Whoever, in committing, or in attempting to commit, any offense defined in subsection (a) of this section, assaults any person, or puts in jeopardy the life of any person by the use of a dangerous weapon or device, shall be fined not less than \$1,000 nor more than \$10,000 or imprisoned not less than five years nor more than twentyPunishment.

Assaults.

Punishment.

five years, or both.

SEC. 3. Whoever, in committing any offense defined in this Act, ing. or in avoiding or attempting to avoid apprehension for the commission of such offense, or in freeing himself or attempting to free himself from arrest or confinement for such offense, kills any person, or forces any person to accompany him without the consent of such person, shall be punished by imprisonment for not less than 10 years, or by death if the verdict of the jury shall so direct.

Homicide or kidnap-

Sec. 4. Jurisdiction over any offense defined by this Act shall not be reserved exclusively to courts of the United States.

Punishment. Jurisdiction.

Approved, May 18, 1934.

[CHAPTER 305.]

AN ACT

To authorize the donation of certain land to the town of Bourne, Massachusetts.

May 18, 1934. [H.R. 503.] [Public, No. 236.]

Be it enacted by the Senate and House of Representatives of the tary of War is hereby authorized to convey without charge to the town of Bourne, Massachusetts, for school playground purposes, two small parcels of land aggregating about six tenths of an acre

73d CONGRESS. SESS. II. CHS. 305-307. MAY 18, 1934.

Reversion for non-HSe.

located in the vicinity of the Bourne Grammar School in said town, which land was acquired by the United States in connection with the acquisition of the Cape Cod Canal: Provided, That such conveyance shall be made with the express condition that the land shall be used for school playground purposes and no other and that in case it is not so used it shall revert to the United States.

Approved, May 18, 1934.

[CHAPTER 306.]

JOINT RESOLUTION

May 18, 1934. [S.J.Res. 36.] [Pub. Res., No. 24.]

Authorizing the President of the United States of America to proclaim October 11, 1934, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

General Pulaski's Whereas the 11th day of October, 1779, is the date in American his-Memorial Day.

Preamble. tory of the heroic death of Brigadier Gaparal Cocimin Bulaski. who died from wounds received on October 9, 1779, at the siege

of Savannah, Georgia; and Whereas the States of West Virginia, New Jersey, Massachusetts, Kentucky, Illinois, Michigan, Tennessee, Indiana, Wisconsin, New York, Nebraska, Texas, Minnesota, Delaware, Maryland, Arkansas, New Hampshire, Pennsylvania, Missouri, Ohio, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Vol. 46, pp. 28, 1627; Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, and October 11, 1931, to be General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American

hero of the Revolutionary War: Therefore be it

Observance of anni-ersary of death inversary vited.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1934, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies of the death of General Casimir Pulaski.

Approved, May 18, 1934.

[CHAPTER 307.]

JOINT RESOLUTION

May 18, 1934 [H J.Res. 317 [Pub. Res., No. 25.]

Requesting the President of the United States of America to proclaim May 20, 1934, General Lafayette Memorial Day for the observance and commemoration of the one hundredth anniversary of the death of General Lafayette.

Resolved by the Senate and House of Representatives of the President requested United States of America in Congress assembled, That the President to invite observance of centenary of his death. On the United States is authorized and requested to issue a proclamatic process. tion calling upon officials of the Government to display the flag of the United States on all governmental buildings on May 20, 1934, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Lafavette.

Approved, May 18, 1934.

[CHAPTER 316.]

AN ACT

To amend an Act entitled "An Act providing for the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Illinois, in 1933, authorizing an appropriation therefor, and for other purposes", approved February 8, 1932, to provide for participation in A Century of Progress in 1934, to authorize an appropriation therefor, and for other purposes.

May 21, 1934. [S. 3235.] [Public, No. 237.]

Be it enacted by the Senate and House of Representatives of the States continue its participation in the exposition, A Century of Frogress (the Chicago World's Fair Centennial Celebration), at in, to be continued. Chicago, Illinois, in 1934. Chicago, Illinois, in 1934.

the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Illinois, in 1933, authorizing an appropriation therefor, and for other purposes", approved February 8, 1932, as hereby amended, is extended and made applicable to the continuance of the participation of the United States in the said exposition in 1934 in the same manner and to the same extent and for the same purposes as originally provided in said Act, except insofar as the provisions

of that Act specify the erection of a building or group of buildings. Sec. 3. In addition to the sum of \$1,000,000 authorized by the aforesaid Act to be appropriated for the participation of the United thorized. States in A Century of Progress (the Chicago World's Fair Century of Progress) tennial Celebration) and appropriated under section 2 of the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1933, and for other purposes", approved July 7, 1932, there is hereby authorized to be appropriated the sum of \$200,000.

Exception.

Additional sum au-

Vol. 47, p. 645.

Approved, May 21, 1934.

[CHAPTER 317.]

AN ACT

To add certain lands to the Mount Hood National Forest in the State of Oregon

May 21, 1934. [S. 1982.] [Public, No. 238.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the follow- Mount Hood Naing-described lands, title to which was conveyed to the United States Certain lands added United States of America in Congress assembled, That the followin part settlement of a fire trespass and which are located within to. the boundaries of the Mount Hood National Forest, in the State of Oregon, be, and the same are hereby, added to said national forest and are made subject to all laws and regulations relating to the use and administration of the national forests:

Township 4 south, range 5 east, Willamette meridian: East half northeast quarter, northwest quarter northeast quarter, northeast quarter southeast quarter section 18; southeast quarter northeast quarter, west half northeast quarter, east half northwest quarter, east half southeast quarter, northwest quarter southeast quarter, southeast quarter southwest quarter section 20; section 22; southwest quarter section 24; sections 25 and 26; north half northeast quarter, northeast quarter northwest quarter section 29; section 36. Township 4 south, range 6 east, Willamette meridian: Lots 3 and

4, east half, east half southwest quarter section 20; southwest quarter section 28; lots 3 and 4, east half northeast quarter, northwest quarter northeast quarter, northeast quarter northwest quarter, southeast quarter, east half southwest quarter section 30; lots 1 and 2, northeast quarter, east half northwest quarter section 31.

Approved, May 21, 1934.

86637°--34----50

[CHAPTER 318.]

AN ACT

May 21, 1934. [S. 2379.] [Public, No. 239.]

To provide for the selection of certain lands in the State of Arizona for the use of the University of Arizona.

Be it enacted by the Senate and House of Representatives of the Arizona. Selection of certain lands by, for use of lawful claims initiated by settlement or otherwise prior to August University authorized. Vol. 36, p. 573; Vol. 47, p. 151. University of Arizona may select for the use of the University of Arizona by of Arizona may select for the use of the University of Arizona by legal subdivisions all or any portions of sections 11, 14, 22, and 28 and the east half section 21, township 14 south, range 16 east, Gila and Salt River meridian, Arizona, and upon the submission of satisfactory proof that the land selected contains saguaro groves or growths of giant cacti or are necessary for the care, protection, and conservation of such groves or growths, the Secretary of the Interior shall cause patents to issue therefor: *Provided*, That there shall be reserved to the United States all coal, oil, gas, or other mineral contained in such lands together with the right to prospect for, mine, and remove the same at such times and under such conditions as the Secretary of the Interior may prescribe.

Approved, May 21, 1934.

Proviso.
Minerals reserved.

[CHAPTER 319.]

AN ACT

May 21, 1934. [S. 2566.] Public, No. 240.1

Authorizing the conveyance of certain lands to the State of Nebraska.

Provisos.
Date of acceptance.

Reservation.

Admission of Indians into State institutions.

Be it enacted by the Senate and House of Representatives of the Genoa Indian School. United States of America in Congress assembled, That there is hereby granted to the State of Nebraska for institutional purposes the propinstitutional purposes. erty known and designated as the "Genoa Indian School", located at Genoa, Nebraska, such grant to include the land and buildings and such equipment as may be designated by the Secretary of the Interior: Provided, That this grant may be effective at any time prior to July 1, 1934, if before that date the Governor of the State of Nebraska on behalf of the State files an acceptance thereof with the Secretary of the Interior: *Provided further*, That the right is reserved by the Secretary of the Interior to retain until July 1, 1934, dormitory and other space needed for the housing and care of Indian pupils now accommodated at said school: Provided further, That as a condition precedent to this grant Indians residing within the State of Nebraska will be accepted in State institutions on entire equality with persons of other races, except that tuition for Indian children Existing rights-of- in the public schools may be paid by the Federal Government: Proway granted to Loup River Public Power vided further, That nothing herein contained shall be construed as District. affecting the right-of-way heretofore applied for by and agreed to be granted to the Loup River Public Power District of Nebraska across said school property and an easement over the lands falling within said right-of-way is hereby granted to said Loup River Public Power District of Nebraska upon proper identification thereof through

Approved, May 21, 1934.

[CHAPTER 320.]

AN ACT

Granting a leave of absence to settlers of homestead lands during the years 1932, 1933, and 1934.

May 21, 1934. [S. 2568.] [Public, No. 241.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any home-United States of America in Congress assembled, That any homestead settler or entryman who, during the calendar years 1932 or etc., may be excused from residence on, in certain cases.

Public lands.

Homestead settlers, etc., may be excused from residence on, in certain cases. 1933, found it necessary, or during 1934 should find it necessary, from residence because of economic conditions, to leave his homestead to seek employment in order to obtain the necessaries of life for himself and/or family or to provide for the education of his children, may, upon filing with the register of the district his affidavit, supported by corroborating affidavits of two disinterested persons, showing the necessity of such absence, be excused from compliance with the requirements of the homestead laws as to residence, cultivation, improvements, expenditures, or payment of purchase money as the case may be, during all or any part of the calendar years 1932, 1933, and 1934, and said entries shall not be open to contest or protest because of failure to comply with such requirements during such absence; except that the time of such absence shall not be deducted from the actual residence required by law, but a period equal to such absence shall be added to the statutory life of the entry: Provided, That any entryman holding an unperfected entry on ceded Installment payment upon the conditions provided herein, but shall not be entitled to extension of time for the payment of any installment of the purchase price of the land except upon payment of interest, in advance, at the rate of 4 per centum per annum on the principal of any unpaid purchase price from the date when such payment or payments became due to and inclusive of the date of the expiration of the period of relief granted hereunder.

Absence added to statutory life of entry.

Approved, May 21, 1934.

[CHAPTER 321.]

AN ACT

Repealing certain sections of the Revised Code of Laws of the United States relating to the Indians.

[Public, No. 242.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 2111, United States of America in Congress assembled, That sections 2111, Revised Statutes. Certain sections of, 2112, 2113, 2120, 2134, 2147, 2148, 2149, 2150, 2151, 2152, and 2153 relating to Indians, reof the Revised Statutes (U.S.C., title 25, secs. 171, 172, 173, 186, 219, Pealed. U.S.C., p. 700. 220, 221, 222, 223, 224, 225, and 226) are hereby repealed.

Approved, May 21, 1934.

[CHAPTER 322.]

AN ACT

To authorize the Secretary of War to convey by appropriate deed of conveyance certain lands in the District of Ewa, island of Oahu, Territory of Hawaii.

May 21, 193 [H.R. 8235. [Public, No. 243.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary Gonveyance of cer-of War be, and he is hereby, authorized and directed to convey to tain lands in the Dis-the Territory of Hawaii lands in the District of Ewa, island of Oahu, authorized.

Oahu, Territory of Hawaii, described as follows, to wit:

Beginning at a point designated as "C" on map dated November
15, 1920, United States Engineer Department, file numbered 300.8,
between the boundary of Honouliuli and Pouhala Mauka, the coordinate of said point referred to United States concrete monument

Description.

Description-Contd. numbered 1, on the north side of Kawaieli Gulch at the corner of the lands of Waianae-Uka, Honouliuli, and Pouhala Mauka, being two thousand three hundred and nine and eleven one-hundredths feet south and five hundred and fifty-five and two one-hundredths feet east (said United States concrete monument numbered 1 bears true azimuth to the following triangulation stations: Maili, one hundred and thirty-nine degrees forty-six minutes; Maunauna, fortyseven degrees five minutes fifty-four seconds), said line thence running by direct azimuths and distances as follows:

> 1. Sixteen degrees nine minutes two thousand five hundred and forty-nine and two tenths feet; the right-of-way extending twenty

feet on each side.

2. Six degrees fifty-four minutes one hundred and eighteen feet; the right-of-way extending twenty feet on each side.

3. Six degrees fifty-four minutes three hundred feet; the right-

of-way extending forty feet on each side.
4. Six degrees fifty-four minutes four hundred feet; the rightof-way extending twenty feet on each side.

5. Six degrees fifty-four minutes three hundred feet; the right-

of-way extending twenty-five feet on each side.

6. Six degrees fifty-four minutes one thousand seven hundred and thirty-one feet; the right-of-way extending twenty feet on each side.

7. Eleven degrees fifteen minutes sixty-nine feet; the right-of-

way extending twenty feet on each side.

8. Eleven degrees fifteen minutes three hundred and fifty feet;

the right-of-way extending twenty-two feet on each side.

9. Eleven degrees fifteen minutes one hundred and seventy-five feet; the right-of-way extending thirty-five feet on each side.

10. Eleven degrees fifteen minutes two hundred feet; the right-

of-way extending twenty-two feet on each side.

11. Eleven degrees fifteen minutes one hundred and fifty feet;

the right-of-way extending fifty feet on each side.

- 12. Eleven degrees fifteen minutes one hundred and sixty and nine tenths feet; the right-of-way extending twenty-two feet on each
- 13. Nine minutes one hundred and sixty-four and one tenth feet; the right-of-way extending twenty-two feet on each side.

14. Nine minutes six hundred feet; the right-of-way extending

- twenty feet on each side.

 15. Nine minutes two hundred and thirty feet; the right-of-way extending twenty-five feet on each side.
- 16. Seven degrees fifty-nine minutes two hundred and twenty feet; the right-of-way extending twenty-five feet on each side.
- 17. Seven degrees fifty-nine minutes three hundred and fifty feet; the right-of-way extending fifty feet on each side.
- 18. Seven degrees fifty-nine minutes seven hundred feet; the rightof-way extending twenty feet on each side.
- 19. Seven degrees fifty-nine minutes two hundred feet; the rightof-way extending twenty-two and five tenths feet on each side.
- 20. Seven degrees fifty-nine minutes two hundred and seventyfour and two tenths feet; the right-of-way extending thirty feet on each side.
- 21. On curve to left for a distance of three hundred and sixty-two and seventy-eight one hundredths feet; having a radius of three hundred and fifty-two and sixty-nine one hundredths feet, central angle being fifty-nine degrees eight minutes and long chord having a length of three hundred and forty-eight and six one hundredths feet; the right-of-way extending twenty feet on each side.

22. Three hundred and eight degrees fifty-one minutes three hundred feet; the right-of-way extending twenty feet on each side.

23. On curve to right for a distance of three hundred and seventyeight and sixty-three one hundredths feet, having a radius of four hundred and eighty-seven and seventy-nine one hundredths feet, central angle being forty-four degrees thirty-three minutes and long chord having a length of three hundred and sixty-nine and eight

tenths feet; the right-of-way extending twenty feet on each side.
24. Three hundred and fifty-three degrees twenty-four minutes eight hundred and eighty-four and four tenths feet; the right-of-

way extending twenty feet on each side.

25. Three hundred and fifty-three degrees twenty-four minutes one hundred and sixty and five tenths feet; the right-of-way extend-

ing twenty-five feet on each side.

26. On curve to left for a distance of three hundred and eightyfive and three tenths feet, having a radius of five hundred and ninetysix and four hundred and ninety-seven one thousandths feet, central angle being thirty-seven degrees three minutes and long chord having a length of three hundred and seventy-nine and four one hundredths feet; the right-of-way extending twenty feet on each side.

27. Three hundred and sixteen degrees twenty-one minutes sixtysix and four tenths feet; the right-of-way extending twenty feet on

each side.

28. On curve to right for a distance of seven hundred and fifteen and eighty-four one hundredths feet, having a radius of six hundred and forty-six and eight hundred and thirty-eight one thousandths feet, central angle being sixty-three degrees twenty-eight minutes and long chord having a length of six hundred and eighty and fortythree one hundredths feet; the right-of-way extending twenty-five feet on the west side and twenty feet on the east side.

29. Nineteen degrees forty-nine minutes five hundred and seventyone and seven tenths feet; the right-of-way extending twenty feet

on each side.

30. Nineteen degrees forty-nine minutes three hundred feet; the right-of-way extending fifty feet on each side.

31. Nineteen degrees forty-nine minutes three hundred feet; the

- right-of-way extending thirty feet on each side.
 32. Nineteen degrees forty-nine minutes six hundred feet; the right-of-way extending twenty feet on each side; from this point the azimuth and distance to a granite monument being three hundred and twenty-nine degrees forty-one minutes thirty-six and five tenths feet, said monument being a corner of the land Hoaeae adjoining Honouliuli.
- 33. Twenty-one degrees fifty-one minutes four hundred feet; the right-of-way extending twenty feet on each side.
 34. Twenty-one degrees fifty-one minutes three hundred and fifty

feet; the right-of-way extending thirty feet on each side.

- 35. Twenty-one degrees fifty-one minutes two hundred and eightynine and one tenth feet; the right-of-way extending fifty feet on
- 36. On curve to left for a distance of three hundred and sixty-two and forty-three one-hundredths feet, having a radius of three hundred and fifty-one and two hundred and sixty-nine one-thousandths feet, central angle being fifty-nine degrees nineteen minutes, and long chord having a length of three hundred and forty-seven and sixty-six one-hundredths feet; the right-of-way extending thirty feet on the west side and twenty feet on the east side.

37. On curve to right for a distance of four hundred and seventyfour and eight hundred and thirty-four one-thousandths feet, having a radius of three hundred and eighty and five hundred and fortythree one-thousandths feet, central angle being thirty-five degrees fifty-one minutes, and long chord having a length of four hundred and forty-five and seven hundred and forty-two one-thousandths feet; the right-of-way extending thirty feet on the west side and twenty feet on the east side.

38. Thirty-four degrees fourteen minutes five hundred and ten

feet; the right-of-way extending twenty feet on each side.
39. On curve to left for a distance of three hundred and eightyseven and thirty-seven one-hundredths feet, having a radius of six hundred and twenty-nine and one hundred and thirty-six onethousandths feet, central angle being thirty-five degrees nineteen minutes, and long chord having a length of three hundred and eighty-one and sixty-eight one-hundredths feet; the right-of-way extending twenty feet on each side.

40. Three hundred and fifty-eight degrees fifty-five minutes nine hundred and twenty-seven and five one-hundredths feet, to a point designated as "F" on map dated November 15, 1920, United States Engineer Department, file numbered 300.8; the right-of-way

extending twenty feet on each side.

41. Two hundred and sixty-eight degrees fifty-five minutes twenty

feet, to east boundary of right-of-way.

- 42. On curve to left for a distance of three hundred and seventyseven and seventy-eight one-hundredths feet, having a radius of four hundred and seventy-five and seventy one-hundredths feet, central angle being forty-five degrees thirty-five minutes, and long chord having a length of three hundred and sixty-eight and fifty-six one-hundredths feet; the right-of-way extending forty feet on west side.
- 43. Three hundred and thirteen degrees twenty minutes two thousand five hundred and sixty-nine and forty-five one-hundredths feet; the right-of-way extending forty feet on southwest side.

44. Three hundred and ten degrees forty minutes three thousand and nine hundred feet, to the boundary line of Hoaeae and Honouliuli; the right-of-way extending forty feet on southwest side.

45. Three hundred and thirty-six degrees fourteen minutes five thousand eight hundred and seventy-nine and two tenths feet; along boundary line of Hoaeae and Honouliuli, the right-of-way extending forty feet to the west of said boundary line to "H".

46. Three hundred and thirty-seven degrees fifty-seven minutes four thousand six hundred and eighty-six feet; along boundary line of Hoaeae and Honouliuli, the right-of-way extending forty feet

west of said boundary line.

- 47. Three hundred and thirty-eight degrees thirty-nine minutes two thousand and thirty-five feet; along boundary line of Hoaeae and Honouliuli, to a marked rock known as "Pohaku Palahalaha" to "I". From said rock the following triangulation stations bear true azimuths: Salt Lake, two hundred and eighty degrees twenty minutes; Puuloa, three hundred and sixteen degrees twenty-two minutes; West Wireless tower, two hundred and ninety-nine degrees fourteen minutes.
- 48. One hundred and forty-one degrees forty-four minutes one hundred and thirty-seven and four tenths feet; being southwest boundary line of right-of-way.
- 49. One hundred and fifty-eight degrees thirty-nine minutes one thousand nine hundred and three and five tenths feet; being boundary line of right-of-way forty feet west of boundary line between

Hoaeae and Honouliuli to point designated as "J" on map file numbered 300.8, dated November 15, 1920—containing an area of thirty-seven and nineteen one-hundredths acres, more or less, being the right-of-way for military road conveyed to the United States of America by the trustees under the will and of the estate of James Campbell, deceased, by deed of conveyance dated September 27, 1921, and duly recorded in the office of the registrar of conveyances in said Honolulu in Book Numbered 667 on pages 5 to 10, inclusive.

Approved, May 21, 1934.

[CHAPTER 323.]

AN ACT

To provide for an appropriation of \$50,000 with which to make a survey of the Old Indian Trail known as the "Natchez Trace", with a view of constructing a national road on this route to be known as the "Natchez Trace Parkway."

May 21, 1934. [S. 2825.] [Public, No. 244.]

Whereas the Natchez Trace was one of the most ancient and import- way.

ant Indian roads leading from the territory in the section of Preamble. Tennessee about Nashville in a southwest course, crossing the Tennessee River at Colbert Shoals a few miles below Muscle Shoals, thence passing in a southwest course through the Chickasaw and Choctaw Indian lands in what is now Mississippi, in an almost

direct course by Jackson, Mississippi, to Natchez; and Whereas the Natchez Trace is located throughout almost its entire length on highlands between watersheds on the most suitable route over which to establish the national parkway through a section of the country greatly in need of such road facilities from a national standpoint to connect the North and East directly with the Natchez, New Orleans, and southwest section of the country; and

Whereas the Natchez Trace was made famous for the service it rendered in affording General Jackson a route over which much of his forces moved to take part in Jackson's famous victory over the British at New Orleans, and also by reason of the fact that General Jackson returned with his army over this Trace to Nashville after the Battle of New Orleans; and

Whereas the Natchez Trace is known as one of the Nation's most famous old roads, and has been marked by handsome boulders with suitable inscriptions by the Daughters of the American Revolution at great expense, these boulders being placed every few miles from one end of the Trace to the other; and

Whereas unusual interest is being manifested in the building of a national parkway by the Government, Natchez Trace organizations having been perfected in almost every county through which the Trace passes; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior, known as the "Na-tional Park Service" to engage in a national way in laying out

parks, reservations, and building parkways: Therefore

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That there is thorized for surveying. hereby authorized to be appropriated out of the Treasury of the

United States, a sum not exceeding \$50,000 to be used by the Department of the Interior through the National Park Service with which

to make a survey of the Old Natchez Trace throughout its entire length leading from the section of Tennessee about Nashville to Natchez, Mississippi, the same to be known as the "Natchez Trace Parkway." The said survey shall locate the Natchez Trace as near

Natchez Trace Park-

to be estimated.

Cost of construction as practicable in its original route. An estimate of cost of construction of an appropriate national parkway over this route, and such other data as will be valuable shall be obtained by said survey with the objective of determining matters concerning the construction of the Natchez Trace Parkway.

Approved, May 21, 1934.

[CHAPTER 324.]

AN ACT

May 21, 1934, [H_R. 7059] Public, No. 245.1

To provide for the further development of vocational education in the several States and Territories.

Vocational educa-tion.
Additional appropri-ations authorized for further development, fiscal years 1935-37. Post, p. 1034.

Apportionment of. Farm population.

Rural population.

Proviso. Minimum allowance.

semiannual pay-ments to be made.

Be it enacted by the Senate and House of Representatives of the Vocational educa- United States of America in Congress assembled, That for the purpose of providing for the further development of vocational educa-tion in the several States and Territories there is hereby authorized to be appropriated for the fiscal year ending June 30, 1935, the sum of \$3,000,000; for the fiscal year ending June 30, 1936, the sum of \$3,000,000; and for the fiscal year ending June 30, 1937, the sum of \$3,000,000. One third of this sum each year shall be allotted to the States and Territories in the proportion that their farm population bears to the total farm population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors of agricultural subjects in such States and Territories. One third of the sum appropriated for each fiscal year shall be allotted to the States and Territories in the proportion that their rural population bears to the total rural population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors of home-economics subjects in Nontarm population, such States and Territories. One third of the sum appropriated for each fiscal year shall be allotted to the States and Territories in the proportion that their nonfarm population bears to the total nonfarm population of the United States, exclusive of the insular possessions, according to the United States census last preceding the end of the fiscal year in which any such allotment is to be made, and shall be used for the salaries of teachers, supervisors, and directors of trade and industrial-education subjects in such States and Territories: Provided, That the allotment of funds to any State or Territory for each of the three purposes enumerated in this section shall be not less than a minimum of \$5,000 for any fiscal year, and there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1935; June 30, 1936; and June 30, 1937, the sum of \$84,603, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotments to the States and Territories provided for in this section.

Sum authorized for administering Act. Vol. 39, p. 933; vol. there is hereby authorized to be appropriated to the Department of the Interior, Office of Education, for vocational education, for each the Interior, Office of Education, 1935, June 30, 1936, and Jun Sec. 2. For the purpose of carrying out the provisions of this Act 1937, the sum of \$100,000, to be expended for the same purposes and in the same manner as provided in section 7 of the Act approved February 23, 1917, as amended October 6, 1917.

SEC. 3. The Secretary of the Treasury, upon the certification of the United States Commissioner of Education, shall pay, in equal semiannual payments, on the 1st day of July and January of each

year, to the custodian of each State as designated in the Act approved February 23, 1917, the moneys to which it is entitled under

the provisions of this Act.

Sec. 4. The appropriations made by this Act shall be in addition to, and shall be subject to the same conditions and limitations as, the appropriations made by the Act entitled "An Act to provide for the promotion of vocational education; to provide cooperation with the States in the promotion of such education in agriculture and in the trades and industries; to provide cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditures", approved February 23, 1917, except that the appropriations made by this Act for home economics shall be subject to the conditions and limitations applicable to the appropriation for agricultural purposes under such Act of February 23, 1917, with the exception of that part of section 10 thereof which requires directed or supervised practice for at least six months per year; that such moneys as are provided by this Act for trade and industrial subjects may be expended for part-time classes operated for less than one hundred and forty-four hours per year; and that the appropriations available under section 2 of this Act shall be ings authorized. available for expenses of attendance at meetings of educational associations and other organizations, which, in the opinion of the Commissioner, are necessary for the efficient discharge of the provisions of this Act.

Approved, May 21, 1934.

[CHAPTER 325.]

JOINT RESOLUTION

To permit articles imported from foreign countries for the purpose of exhibition at A Century of Progress Exposition, Chicago, Illinois, to be admitted without payment of tariff, and for other purposes.

May 21, 1934. [H.J. Res. 311.] [Pub. Res., No. 26.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the exposition to be held by and known as "A Century of Progress", or for use in constructing, installing, or maintaining ted free under regulations.

A Century of Progress Exposition.

Dutable articles imported for exhibition, etc., purposes, admitted regulations.

The purpose of exhibition articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff customs duty, focal or charges and are constructed. without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition, to sell within the area of the exposition any articles provided for herein, subject to such regula-tion for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: Provided, Duty on articles That all such articles, when withdrawn for consumption or use in withdrawn. the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: Provided further, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because

Authorizations addi-tional to former Act.

Vol. 39, p. 934.

Plan of education.

Sales permitted.

Deterioration allow-

Marking provisions.

Exhibits previously entered and under con-tinuous customs custody, etc., transfer priv-

A Century of Progress deemed sole consignee of merchandise.

funds. Vol. 46, p 741.

such articles were not sufficiently marked when imported into the United States: Provided further, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe:

And provided further, That A Century of Progress shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and Expenses reimbursa- necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by A Century of Progress to the Government of the United States under regulations to be prescribed by the Deposit of, as re- Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930. Approved, May 21, 1934.

[CHAPTER 333.]

AN ACT

May 22, 1934. [S. 2845.] [Public, No. 246.]

To extend the provisions of the National Motor Vehicle Theft Act to other stolen property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Stolen Property Act."

Sec. 2. That when used in this Act—

Definitions.
"Interstate or foreign commerce."

(a) The term "interstate or foreign commerce" shall mean transportation from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

"Securities."

(b) The term "securities" shall include any note, stock certificate, bond, debenture, check, draft, warrant, traveler's check, letter of credit, warehouse receipt, negotiable bill of lading, evidence of indebtedness, certificate of interest or participation in any profitsharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate; certificate of interest in property, tangible or intangible; instrument or document or writing evidencing ownership of goods, wares, and merchandise; or transferring or assigning any right, title, or interest in or to goods, wares, and merchandise, or, in general, any instrument commonly known as a "security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, warrant, or right to subscribe to or purchase any of the foregoing, or any forged, counterfeited, or spurious representation of any of the foregoing.

"Money."

Stolen goods, securities, or money.
Transporting in interstate or foreign com-

(c) The term "money" shall mean the legal tender of the United States or of any foreign country, or any counterfeit thereof.

Sec. 3. Whoever shall transport or cause to be transported in interstate or foreign commerce any goods, wares, or merchandise, securities, or money, of the value of \$5,000 or more theretofore stolen or taken feloniously by fraud or with intent to steal or

purloin, knowing the same to have been so stolen or taken, shall be punished by a fine of not more than \$10,000 or by imprisonment for

not more than ten years, or both.

Sec. 4. Whoever shall receive, conceal, store, barter, sell, or dispose of any goods, wares, or merchandise, securities, or money, of the value of \$5,000 or more, or whoever shall pledge or accept as security for a loan any goods, wares, or merchandise, or securities of the value of \$500 or more which, while moving in or constituting a part of interstate or foreign commerce, has been stolen or taken feloniously by fraud or with intent to steal or purloin, knowing the same to have been stolen or taken, shall be punished by a fine of not more than \$10,000 or by imprisonment of not more than ten years,

Sec. 5. In the event that a defendant is charged in the same tions in same indictindictment with two or more violations of this Act, then the aggre-ment. gate value of all goods, wares, and merchandise, securities, and money referred to in such indictment shall constitute the value thereof for the purposes of sections 3 and 4 hereof.

SEC. 6. Any person violating this Act may be punished in any venue of prosecudistrict into or through which such goods, wares, or merchandise, or

such securities or money, have been transported or removed. SEC. 7. Nothing herein shall be construed to repeal, modify, or hicle Theft Act not amend any part of the Act of October 29, 1919 (ch. 89), cited as the "National Motor Vehicle Theft Act."

National Motor Vehicle Theft Act."

Approved, May 22, 1934.

Punishment for.

Receiving such prop-

Accepting as security for loan.

Punishment for.

[CHAPTER 337.]

AN ACT

To provide for the exchange of Indian and privately owned lands, Fort Mojave [S. 1807.]

[Public, No. 247.] Indian Reservation, Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to accept, in his discretion, and privately owned to the Government of privately owned lands contiguous to the even-numbered sections added to the Fort Mojave Indian Reservation, Ariz. Exchange of Indian and privately owned lands contiguous to the even-numbered sections added to the Fort Mojave Indian Reservation, Ariz.

From Mojave Indian Reservation, Ariz.

Exchange of Indian and privately owned lands contiguous to the even-numbered sections added to the Fort Mojave Indian Reservation, Ariz.

Exchange of Indian Reservation, Ariz.

Exchange of Indian Reservation, Ariz.

Exchange of Indian Privately owned lands contiguous to the even-numbered sections added to the Fort Mojave Indian Reservation, Ariz.

Exchange of Indian Re tion, Arizona, by Executive order of February 2, 1911, and to permit lieu selections of lands approximately equal in value from the evennumbered sections by those surrendering their holdings, so that the lands retained and acquired through exchange for Indian use may be consolidated and held in a solid area so far as may be possible:

Provided, That upon conveyance of any privately owned lands to the Government pursuant thereto, the Secretary of the Interior is conveying privately hereby authorized to issue to the person or persons making the conveyance, patent of appropriate form and legal effect for the lieur lands. The areas consolidated in the Conveyance to this consolidations for The areas consolidated in the Government pursuant to this Consolidations for benefit of Indians. Act are hereby declared to be held for the benefit of the Indians of the Fort Mojave Reservation: Provided further, That the title or claim of any person or persons who refuse to convey to the Government shall not be affected by this Act.

Approved, May 23, 1934.

Executive Order 1296.

[CHAPTER 338.]

AN ACT

May 23, 1934. [H.R. 8208.] [Public, No. 248.]

To provide for the exploitation for oil, gas, and other minerals on the lands comprising Fort Morgan Military Reservation, Alabama.

Fort Morgan Military Reservation, Ala. United States of America in Congress assembled, That the Secretary of for exploitation for Sil, gas, etc., of two years from the date of the passage of this Act the lands authorized.

Vol. 41, p. 437. Advertising leases for sale.

Provision for sale of reservation suspended for 2 years.

Proviso. Exploitation tests.

Be it enacted by the Senate and House of Representatives of the

of two years from the date of the passage of this Act the lands comprising Fort Morgan Military Reservation situated in the county of Baldwin, State of Alabama, for exploitation for oil, gas, and other minerals under the Act of February 25, 1920 (41 Stat. 437), The Secretary of the as amended, and regulations thereunder. Interior shall within thirty days from the date of the passage of this Act advertise said lease for sale under the Act of February Provisos.
Award, in event but one bidder.

25, 1920 (41 Stat. 437), as amended, and regulations thereunder:
Provided, That in case but one offer or bid is received, the Secretary may, in his discretion award the right to extract the right the right to extract the right to extract the right than right the right the right the right the right than right the right tha may, in his discretion, award the right to extract the oil and gas to such bidder: Provided further, That the operation of the lease shall not interfere with the use for military purposes or for lighthouse purposes of that portion of said land transferred to the Quarantine purposes. Department of Commerce nor with the use for quarantine purposes Alabama's consent of personal transferred to the Treasury Departfor operating quitclaimed tracts therein; report to Congress.

That the operation upon the tract of Alabama shall be only by and with the consent of the State of Alabama. If a large he made the State of Alabama. consent of the State of Alabama. If a lease be made the Secretary of the Interior is directed to make a written report to Congress of its terms and conditions within not less than thirty days after the execution of the lease.

SEC. 2. Any part or parts of the Act approved March 12, 1926, authorizing the sale of the Fort Morgan Military Reservation is hereby suspended for a period of two years following the passage of this Act or until it has been determined by the Secretary of the Interior that it is impracticable and uneconomical to exploit this reservation for oil, gas, and other minerals under the provisions of this Act: *Provided*, That the failure of private interests to submit satisfactory proposal for the leasing of this property under the provisions of section 2 of this Act, after due advertisement thereof, may be accepted as proof of impracticability of exploitation.

Approved, May 23, 1934.

[CHAPTER 339.]

AN ACT

May 23, 1934. [H.R. 7356.] [Public, No. 249.]

To provide, in case of the disability of senior circuit judges, for the exercise of their powers and the performance of their duties by the other circuit judges.

Be it enacted by the Senate and House of Representatives of the Circuit judges.
Provisions, in case of disability of senior circuit judge of any circuit is unable because of illness or other cuit judges. Vol. 36. p. 1131; Vol. cause to exercise any power given or to perform any duty imposed 40, p. 1157. by law, such power or duty shall be exercised or performed by the other judges of that circuit in the order of the seniority of their respective commissions.

Approved, May 23, 1934.

[CHAPTER 344.]

AN ACT

To amend the law relative to citizenship and naturalization, and for other purposes.

May 24, 1934. [H.R. 3673.] [Public, No. 250.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1993

"Sec. 1993. Any child hereafter born out of the limits and jurisdiction of the United States, whose father or mother or both at the time of the birth of such child is a citizen of the United States."

"Bec. 1993. Any child hereafter born out of the limits and jurisdiction of the United States, whose father or mother or both at the time of the birth of such child is a citizen of the United States."

"Brazation.

R. S., sec. 1993, p. 350;
U.S.C., p. 121.

Citizenship of child born abroad of citizen parent. declared to be a citizen of the United States; but the rights of citizenship shall not descend to any such child unless the citizen father or citizen mother, as the case may be, has resided in the United States previous to the birth of such child. In cases where one of parent an alien. the parents is an alien, the right of citizenship shall not descend unless the child comes to the United States and resides therein for at least five years continuously immediately previous to his eighteenth birthday, and unless, within six months after the child's twenty-first birthday, he or she shall take an oath of allegiance to the United States of America as prescribed by the Bureau of Naturalization."

Sec. 2. Section 5 of the Act entitled "An Act in reference to the U.S.C., p. 1229; expatriation of citizens and their protection abroad", approved

March 2, 1907, as amended, is amended to read as follows:

"Sec. 5. That a child born without the United States of alien Acquisition of citiparents shall be deemed a citizen of the United States by virtue of the naturalization, etc., of naturalization of or resumption of American citizenship by the father or the mother: Provided, That such naturalization or resumption shall the classical state of the parent. tion shall take place during the minority of such child: And provided further, That the citizenship of such minor child shall begin child to begin. five years after the time such minor child begins to reside permanently in the United States."

SEC. 3. A citizen of the United States may upon marriage to a Renunciation of citiforeigner make a formal renunciation of his or her United States to foreigner. citizenship before a court having jurisdiction over naturalization of aliens, but no citizen may make such renunciation in time of war, and if war shall be declared within one year after such renunciation

then such renunciation shall be void.

SEC. 4. Section 2 of the Act entitled "An Act relative to the U.S.C., p. 158." naturalization and citizenship of married women", approved Sep-

tember 22, 1922, is amended to read as follows:

"Sec. 2. That an alien who marries a citizen of the United States, naturalization, aliens after the passage of this Act, as here amended, or an alien whose married to citizens. husband or wife is naturalized after the passage of this Act, as here amended, shall not become a citizen of the United States by reason of such marriage or naturalization; but, if eligible to citizenship, he or she may be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions:

"(a) No declaration of intention shall be required.
"(b) In lieu of the five-year period of residence within the United States and the one-year period of residence within the State or Territory where the naturalization court is held, he or she shall have resided continuously in the United States, Hawaii, Alaska, or Porto Rico for at least three years immediately preceding the filing of the petition."

Citizenship and naturalization

Residence of parent.

Oath of allegiance.

Provisos.
Minority of child.

When citizenship of

In time of war.

Declaration of intentions. Residence.

Repeal provision. Naturalization of wife and minor chil-dren of insane declardre. ant. Vol. ant.
Vol. 36, p. 929;
U.S.C., p 158.
Of widow and minor children of deceased declarant.
Vol. 34, p. 598;
U.S.C., p. 159.

Admission of alien wives of World War veterans. Vol. 46, p. 849; U.S.C., Supp.VII, p. 87.

Existing rights not

Sec. 5. The following Acts and parts of Acts, respectively, are repealed: The Act entitled "An Act providing for the naturalization of the wife and minor children of insane aliens, making homestead entries under the land laws of the United States", approved February 24, 1911; subdivision "Sixth" of section 4 of the Act entitled "An Act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States", approved June 29, 1906; and section 8 of the Act entitled "An Act relative to the naturalization and citizenship of married women", approved September 22, 1922, as said section was added by the Act approved July 3, 1930, entitled "An Act to amend an Act entitled 'An Act relative to naturalization

and citizenship of married women', approved September 22, 1922." The repeal herein made of Acts and parts of Acts shall not affect any right or privilege or terminate any citizenship acquired under such Acts and parts of Acts before such repeal.

Approved, May 24, 1934, 12 noon.

[CHAPTER 345.]

AN ACT

May 24, 1934. [H.R. 5950.] [Public, No. 251]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the Bankruptcy Act of United States of America in Congress assembled, That the Act of July 1, 1898, entitled "An Act to establish a uniform system of bank-July 1, 1898, entitled "An Act to establish a uniform system of bank-ruptcy throughout the United States", as approved July 1, 1898, and Acts amendatory thereof and supplementary thereto be, and they are hereby, amended by adding thereto a new chapter to read as follows:

"CHAPTER IX

"Provisions for the Emergency Temporary Aid of Insolvent Public Debtors and to Preserve the Assets Thereof and for OTHER RELATED PURPOSES

Declaration of policy.

"Sec. 78. Declaration of Policy.—There is hereby found, determined, and declared to exist a national emergency caused by increasing financial difficulties of many local governmental units, which renders imperative the further exercise of the bankruptcy powers of the Congress of the United States.

Courts of bankruptey, additional jurisdiction.

"Sec. 79. Additional jurisdiction.—Until the expiration of two years from the date this chapter takes effect, in addition to the jurisdiction exercised in voluntary and involuntary proceedings to adjudge persons bankrupt, courts of bankruptcy shall exercise original jurisdiction in proceedings for the relief of debtors, as provided in this chapter of this Act.

Municipal debt re-

"Sec. 80. Municipal-debt readjustments.—(a) Any municipality adjustments.—(a) Any municipality adjustments.—(a) Any municipality Petition of insolvent or other political subdivision of any State, including (but not hereby taxing district. limiting the generality of the foregoing) any county, city, borough, village, parish, town, or township, unincorporated tax or special assessment district, and any school, drainage, irrigation, reclamation, levee, sewer, or paving, sanitary, port, improvement or other districts (hereinafter referred to as a 'taxing district'), may file a petition stating that the taxing district is insolvent or unable to meet its debts as they mature, and that it desires to effect a plan of readjustment of its debts. The petition shall be filed with the court in whose territorial jurisdiction the taxing district or the major part thereof is

Where to be filed.

located and for any such district having no officials of its own the petition shall be filed by the municipality or political subdivision, the officials of which have power to contract on behalf of said district or to levy the special assessments within such district. The petition shall be accompanied by payment to the clerk of a filing fee of \$100, which shall be in addition to the fees required to be collected by the clerk under other chapters of this Act. The petition shall Contents of petition state that a plan of readjustment has been prepared, is filed and subto accompany. mitted with the petition, and that creditors of the taxing district Creditors consentreowning not less than 30 per centum in the case of drainage, irrigation, reclamation, and levee districts and owning not less than 51 per centum in the case of all other taxing districts in amount of the bonds, notes, and certificates of indebtedness of the taxing district affected by the plan, excluding bonds, notes, or certificates of indebtedness owned, held, or controlled by the taxing district in a fund or otherwise, have accepted it in writing. The petition shall be accompanied with such written acceptance and with a list of all known furnished. creditors of the taxing district together with the state of the taxing district together w creditors of the taxing district, together with their addresses so far as known to the taxing district, and description of their respective claims showing separately those who have accepted the plan of readjustment, together with their separate addresses, the contents of which list Lists not to constitute admissions. shall not constitute admissions by the taxing districts in a proceeding under this chapter or otherwise. Upon the filing of such a Judge to enter petition the judge shall enter an order either approving it as prop- proving petition. erly filed under this chapter, if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing it, if not so satisfied. If creditors holding 5 per centum in amount of percent appear and the bonds, notes, or certificates of indebtedness shall, within ninety controvert, judge shall decide. days after the first publication of the notice provided for in sub-division (c), clause (1), of this chapter, appear and controvert the facts alleged in the petition, the judge shall decide the issues pre-sented, and unless the material allegations of the petition are sustained, shall dismiss the petition.

"(b) A plan of readjustment within the meaning of this chapter (1) shall include provisions modifying or altering the rights of visions may include. creditors generally, or of any class of them, secured or unsecured, either through the issuance of new securities of any character or otherwise; and (2) may contain such other provisions and agreements, not inconsistent with this chapter, as the parties may desire.

"No creditor shall be deemed to be affected by any plan of read-deemed affected." justment unless the same shall affect his interests materially and adversely, and in case any controversy shall arise as to whether any controvers creditor or class thereof shall or shall not be affected, the issue shall be determined by the judge after hearing upon notice to the parties interested.

"The term 'securities' shall include bonds, notes, and other evidences of indebtedness, either secured or unsecured, and certificates of beneficial interests in property. The term 'creditors' shall include for all purposes of this chapter all holders of claims, debts, securities, liens or other interests of whatever character against the taxing district or its property or revenues, including claims under executory contracts and for future rent, whether or not such claims would otherwise constitute provable claims under this Act, and all holders of judgments rendered against such taxing district but excepting claims for salaries and wages of officers and employees of the taxing district.

"For all purposes of this chapter any creditor may act in person or by a duly authorized agent or committee. Where any committee, creditor may act in person or by agent.

Filing fee.

Description of claims.

Judge to enter order

Plan of readjustment.

Determination of

Terms construed. "Securities."

"Creditors."

Group representation; requirements. organization, group, or individual shall assume to act for or on behalf of creditors, such committee, organization, group, or individual shall first file with the court in which the proceeding is pending a list of the creditors represented by such committee, organization, group, or individual, together with a statement of the amount, class, and character of the indebtedness held by each such creditor, and shall accompany the same with a copy of the contract or agreement entered into between such committee, organization, group, or individual and the creditors represented by it or them, which contracts shall disclose all compensation to be received directly or indirectly by such agent or committee.

"(c) Upon approving the petition or at any time thereafter the judge

Procedure when petition approved.
Notice to creditors.
Publication of hearing.
Time and purpose of

holding.

Time extension when readjustment plan not accepted.

ity creditors.

Creditor claims, time and manner of filing.

Classification.

Vol. 30, p. 560.

Executory contracts of taxing district, rejection authorized.

Notice of determinations.

Inspection trict's files, etc.

Allowances for services and expenses.

Appeals from orders.

(1) shall require the taxing district to give such notice as the order may direct to creditors, and to cause publication, to be made at least once a week for three successive weeks, of a hearing, to be held within ninety days after the approval of the petition for the purpose of considering the plan of readjustment filed with the petition and of any changes therein or modifications thereof which may be proposed; (2) if a plan of readjustment is not accepted and approved within such reasonable period as the judge may fix, or, if accepted and approved, is not confirmed, the judge may, after hearing, either extend such period not exceeding one year from the date of the filing of the petition, or dismiss the proceedings as the interests of the creditors may equitably require: Provided, however, That if a plan not accepted within year.

Further extension upon consent of major tive creditors.

Further extension upon consent of major tive creditors. continue the proceeding for not exceeding two years from the date of the filing of the petition, with the written consent of creditors of the taxing district holding more than one half in amount of all Taxing district to furnish necessary data.

claims affected by the plan; (3) shall require the taxing district at such time or times as the judge may direct, and in lieu of the schedules required by section 7 of this Act, to file such schedules and submit such other information as may be necessary to disclose the conduct of the affairs of the taxing district and the fairness of any proposed plan; (4) shall determine a reasonable time and manner in which the claims and interests of creditors may be filed or evidenced, and, for the purposes of the plan and its acceptance, the division of creditors into classes according to the nature of their respective claims and interests; and may, for the purposes of such classification, classify as an unsecured claim the amount of any secured claim in excess of the value of the security thereof, such value to be determined in accordance with the provisions of chapter 57, clause (h), of this Act; (5) may, with the authorized written approval of the taxing district, direct the rejection of contracts of the taxing district executory in whole or in part; (6) shall cause reasonable notice of such determination and of all hearings for the consideration of the proposed plan, or the dismissal of the proceedings, or the allowances of fees or expenses, to be given creditors of dis-by publication or otherwise; (7) may require the taxing district to open its books, records, and files to the inspection of any creditor of the taxing district during reasonable business hours; (8) may allow a reasonable compensation for the services rendered and reimbursement for the actual and necessary expenses incurred in connection with the proceeding and the payment of special masters, readjustment managers and committees or other representatives of creditors of the taxing district, and the attorneys or agents of any of the foregoing; and appeals may be taken, from the orders making such allowances, to the circuit court of appeals for the circuit in which the proceeding under this chapter is pending, independently of other

appeals which may be taken in the proceedings, and such appeals shall be heard summarily: *Provided*, *however*, That no fees, com
Assessments for atpensation, reimbursement, or other allowances for attorneys, agents, stricted. committees, or other representatives of creditors shall be assessed against the taxing district or paid from any revenues, property, or funds except in the manner and in such sums, if any, as may be provided for in the plan of readjustment; (9) in addition to the provisions of chapter II of this Act for the staying of pending suits, the court may upon notice enjoin or stay until after final decree, the commencement or continuation of suits against the taxing district, or any officer or inhabitant of the taxing district, on account of the indebtedness of such taxing district, or to enforce any lien or to enforce levy of taxes for the payment of any such indebtedness: Provided, however, That the judge may enter an interlocutory decree providing that the plan shall be temporarily operative with respect temporarily operative. to all indebtedness affected thereby and that the payment of the principal or interest, or both, of such indebtedness shall be temporarily postponed or extended or otherwise readjusted in the same rand upon the same terms as if such plan had been finally confirmed and put into effect, and upon the entry of such decree the principal or interest, or both, of such indebtedness which has otherwise become due, or which would otherwise become due, shall not be or become due or payable, and the payment of all such indebtedness shall be postponed during the period in which such decree shall remain in force; and (10) may refer any matters to a special master, for consideration and report upon specified issues; but (11) shall not, by any order or decree, in the proceeding or otherwise, interfere with (a) any of the political or governmental powers of the taxing district, or (b) any of the property or revenues of the taxing district necessary in the opinion of the judge for essential governmental purposes, or (c) any income-producing property, unless the plan of readjustment so provides. The taxing district shall be Right of taxing district and creditors to heard on all questions. Any creditor shall be heard on the question hearing. of the proposed confirmation of the plan, and, upon filing a petition for leave to intervene, on such other questions arising in the proceeding as the judge shall determine.

"(d) The plan of readjustment shall not be confirmed until it has been accepted in writing, filed in the proceeding, by or on behalf tors of creditors whose claims have been allowed holding two thirds in amount of the claims of each class whose claims have been allowed and would be affected by the plan, and by creditors holding 66% per centum in the case of drainage, irrigation, reclamation, and levee districts and creditors holding 75 per centum in the case of all other taxing districts in amount of the claims of all classes of the taxing district affected by the plan, but excluding claims owned, held, or controlled by a taxing district, and such plan has been accepted and approved by the taxing district in a writing filed in the proceeding, That it shall not be requisite to the confirmation of the plan that claims not affected. The such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan or (b) if the plan of the pla whose claims are not affected by the plan, or (b) if the plan makes provision for the payment of their claims in cash in full, or (c) if provision is made in the plan for the protection of the interests,

claims, or liens of such creditors or class of creditors.

"(e) After hearing such objections as may be made to the plan, the by court. Confirmation of plan judge shall confirm the plan if satisfied that (1) it is fair, equitable, and for the best interests of the creditors, and does not discriminate unfairly in favor of any class of creditors; (2) complies with the provisions of subdivision (b) of this chapter; (3) has been accepted

Stay of pending suits. Vol. 30, p. 545.

Postponements of

Reference to special laster. Limitation on power

Interferences denied.

Plan of readjustment. Acceptance by credi-ors before confirma-

Changes and modifications allowed.

Rights of creditor thereafter.

Proviso.
Conformity with sub-

Effect of confirma-

Disapproval of plan by court; statement of reasons. Discharge of taxing district from debts, etc., upon approval.

Certified copy of decree or order as evidence of jurisdiction of court.

Order directing property transfer; effect of.

Status of proceedings under this chapter.

Effective upon approval.

Power of State over political subdivisions not impaired.

and approved as required by the provisions of subdivision (d) of this chapter; (4) all amounts to be paid by the taxing district for services or expenses incident to the readjustment have been fully disclosed and are reasonable; (5) the offer of the plan and its acceptance are in good faith; and (6) the taxing district is authorized by law, upon confirmation of the plan, to take all action necessary to carry out the plan. Before a plan is confirmed, changes and modifications may be made therein, with the approval of the judge after hearing upon notice to creditors, subject to the right of any creditor who shall previously have accepted the plan to withdraw his acceptance, within a period to be fixed by the judge and after such notice as the judge may direct, if, in the opinion of the judge, the change or modification will be materially adverse to the interest of such creditor, and if any creditor having such right of withdrawal shall not withdraw within such period, he shall be deemed to have accepted the plan as changed or modified: *Provided*, however, That the plan as changed or modified shall comply with all the provisions of this

"(f) Upon such confirmation the provisions of the plan and of the order of confirmation shall be binding upon (1) the taxing district, and (2) all creditors, secured or unsecured, whether or not affected by the plan, and whether or not their claims shall have been filed or evidenced, and if filed or evidenced, whether or not allowed, including creditors who have not, as well as those who have, accepted it.

"(g) In the event the judge shall disapprove the plan he shall file an opinion stating his reasons for such disapproval. If he approve the plan, the final decree shall discharge the taxing district from those debts and liabilities dealt with in the plan except as provided in the plan; and upon the entry of such decree the jurisdiction of the court in such proceeding shall cease.

"(h) A certified copy of the final decree or of an order confirming a plan of readjustment, or of any other decree or order entered in a proceeding under this chapter, shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the decree or order was made. A certified copy of an order directing the transfer of any property dealt with by the plan, shall be evidence of the transfer of title accordingly, and if recorded as conveyances are recorded shall impart the same notice that a deed, if recorded, would impart.

"(i) In proceedings under this chapter and consistent with the provisions thereof, the jurisdiction and powers of the court, the duties of the taxing district and the rights and liabilities of creditors, and of all persons with respect to the taxing district and its property, shall be the same as if a voluntary petition for adjudication had been filed and a decree of adjudication had been entered on the day when the petition of the taxing district was approved.

the petition of the taxing district was approved.

"(j) This chapter shall take effect and be in force from and after the date of the approval of this amendatory Act and shall apply as fully to taxing districts and their creditors, whose interests or debts have been acquired or incurred prior to such date, as to taxing districts and their creditors, whose interests or debts are acquired or incurred after such date.

"(k) Nothing contained in this chapter shall be construed to limit or impair the power of any State to control, by legislation or otherwise, any political subdivision thereof in the exercise of its political or governmental powers, including expenditures therefor, and including the power to require the approval by any governmental

agency of the State of the filing of any petition hereunder and of any plan of readjustment, and whenever there shall exist or shall hereafter be created under the law of any State any agency of such State authorized to exercise supervision or control over the fiscal affairs of all or any political subdivisions thereof, and whenever such agency has assumed such supervision or control over any political subdivision, then no petition of such political subdivision may be received hereunder unless accompanied by the written approval of such agency, and no plan of readjustment shall be put into temporary effect or finally confirmed without the written approval of such agency of such plans.

"(1) If any provision of this chapter, or the application thereof to any person or circumstances, is held invalid, the remainder of the chapter, or the application of such provision to other persons or

circumstances, shall not be affected thereby.'

Approved, May 24, 1934, 12.20 p.m.

[CHAPTER 347.]

AN ACT

To authorize the Secretary of War to lend to the housing committee of the United Confederate Veterans two hundred and fifty pyramidal tents, complete; fifteen 16- by 80- by 40-foot assembly tents; thirty 11- by 50- by 15-foot hospital-ward tents; ten thousand blankets, olive drab, numbered 4; five thousand canvas cots; twenty field ranges, numbered 1; ten field bake ovens, to be used at the encampment of the United Confederate Veterans, to be held at Chattanooga, Tennessee, in June 1934.

May 25, 1934. [H.R. 9092.] [Public, No. 252.]

Saving provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary Confederate Veterans' encampment, of War be, and he is hereby, authorized to lend, at his discretion, to Chattanooga, Tenn. the housing committee of the United Confederate Veterans, whose to. encampment is to be held at Chattanooga, Tennessee, June 6, 7, and 8, 1934, two hundred and fifty pyramidal tents, complete with all poles, pegs, and other equipment necessary for their erection; fifteen 16by 80- by 40-foot assembly tents, complete with all their poles, pegs, and equipment necessary for their erection; thirty 11- by 50- by 15-foot hospital-ward tents, complete with all their poles, pegs, and equipment necessary for their erection; twenty field ranges, numbered 1, with necessary equipment for their erection; ten field bake ovens with necessary equipment for their erection; ten thousand blankets, olive drab, numbered 4; five thousand canvas cots; ten officers' tents complete with all their poles, pegs, and equipment necessary for their erection; nine hundred mess kits, complete; six litters; twenty tent flys with poles for wall tents; and thirty garbage cans: Provided, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said encampment as may be agreed upon by the Secretary of War and the chairman of the said housing committee, Mr. Maurice C. Poss: Provided further, That the Secretary of War, before delivery of such property, shall take from said Maurice C. Poss, chairman of the housing committee of the annual Confederate reunion, a good and sufficient bond for the safe return of said property in good order and condition and the whole without expense to the United States.

Approved, May 25, 1934.

rovisos. No Federal expense.

Bond required.

[CHAPTER 348.]

AN ACT

May 25, 1934. [S. 3436.] [Public, No. 253.]

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain proceedings against the Electro Metallurgical Company, New-Kanawha Power Company, and the Union Carbide and Carbon Corporation.

Be it enacted by the Senate and House of Representatives of the Electro Metallurgical Company, New-Kanawha Power Company, New-Kanawha Power Company, and Union Carbide and Carbon Corporation.

Counsel in proceedings against.

Vol. 35, p. 1107, 1109.

U.S.C., p. 474, 475.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in Congress assembled and Act to codify, revise, and amend the penal laws of the United States ", approved March (U.S.C., title 18, secs. 198 and 203), or in section 190 of the Revised Statutes of the United States (U.S.C., title 5, sec. 99), or in any other Act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to attorneys or counselors to be specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of any case or cases, civil or criminal, to be brought by the United States against the Electro Metallurgical Company, New-Kanawha Power Company, or the Union Carbide and Carbon Corporation, or all or any of said companies and/or their officers or agents, and/or any litigation involving hydroelectric power, navigation, or water rights or claims upon the New and Kanawha Rivers, or either of them, under the Vol. 41, p. 1063; Vol. Federal Water Power Act or the River and Harbor Appropriation

Approved, May 25, 1934.

[CHAPTER 349.]

AN ACT

Act of March 3, 1899, chapter 425, or any other Act or Acts.

May 25, 1934. [S. 3114.] [Public, No. 254.]

To extend the times for commencing and completing the construction of certain bridges in the State of Oregon.

Amendment.

Be it enacted by the Senate and House of Representatives of the Oregon, bridge con- United States of America in Congress assembled, That the times for struction.

Times for, extended commencing and completing the construction of the following on designated projects. bridges, authorized to be built by the State of Oregon, are bereby bridges, authorized to be built by the State of Oregon, are hereby extended one and three years, respectively, from the date of approval Umpqua River at Reedsport, Oregon, Reedsport, Oregon, Yaquina Bay at Noewport.

Coos Bay at North Bend.

Siuslaw River at North Bend, Oregon, authorized by Act of Congress approved June 13, 1933; (2) across Coos Bay, at or near North Bend, Oregon, authorized by Act of Congress approved June 13, 1933; (3) across Coos Bay, at or near North Bend, Oregon, authorized by Act of Congress approved June 13, 1933; (4) across the Siuslaw River, at or near Florence, Oregon, Siuslaw River at 13, 1933; (4) across the Siuslaw River, at or near Florence, Oregon, Siuslaw River at North Bend, Oregon, authorized by Act of Congress approved June 13, 1933; (4) across Coos Bay, at or near Florence, Oregon, Siuslaw River at North Bend, Oregon, Siuslaw River, at or near Florence, Oregon, Siuslaw River at North Bend, Oregon, Siuslaw River, at or near Florence, Oregon, Siuslaw River, Att of Congress approved June 13, 1933; (4) across Coos Bay, at or near Florence, Oregon, Siuslaw River, Att of Congress approved June 13, 1933; (5) across Coos Bay, at or near Florence, Oregon, Siuslaw River, Att of Congress approved June 13, 1933; (6) across Coos Bay, at or near Florence, Oregon, Siuslaw River, Att of Congress approved June 13, 1933; (7) across Coos Bay, at or near Florence, Oregon, Siuslaw River, Att of Congress approved June 13, 1933; (8) across Coos Bay, at or near Florence, Oregon, Siuslaw River, Att of Congress Att of Congress At Florence.

Alsea Bay at Wald- authorized by Act of Congress approved June 13, 1933; and (5)

Port.

Port. Port.
Ante, pp. 135-137, across Alsea Bay, at or near Waldport, Oregon, authorized by Act
148.

of Congress approved Type 15, 1999. of Congress approved June 15, 1933.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 25, 1934.

[CHAPTER 350.]

AN ACT

To authorize the Federal Radio Commission to purchase and enclose additional land at the radio station near Grand Island, Nebraska.

May 25, 1934. [H.R. 9394.] [Public, No. 255.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Grand Island, Nebr. Radio Commission is authorized to purchase an additional tract of land as addition to land containing approximately ten acres adjacent to that now expend radio station authorized. land containing approximately ten acres adjacent to that now owned radio by the United States at Grand Island, Nebraska, and to enclose the same for use in connection with the constant-frequency monitoring station located at said place. There is hereby authorized to be appropriated the sum of \$1,200 to carry out the purposes of this Act. Approved, May 25, 1934.

[CHAPTER 351.]

JOINT RESOLUTION

To provide funds to enable the Secretary of Agriculture to carry out the purposes of the Acts approved April 21, 1934, and April 7, 1934, relating, respectively, to cotton and to cattle and dairy products, and for other purposes.

May 25, 1934. [H.J.Res. 345.] [Pub. Res., No. 27.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of Agriculture to carry out the purposes of the Act entitled "An Act to place the cotton industry on a sound commercial relating to.

Appropriation to administer certain Acts relating to.

Act regulating cotton industry into the channels of interstate and foreign commerce, to provide funds

Ante, p. 605. into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes" (Public, Numbered 169, Seventy-third Congress), approved April 21, 1934, there is hereby appropriated and made available, pursuant to the authorizations contained in the said Act, the funds available for carrying into effect the provisions of the Agricultural Adjustment Act, as amended, which shall be available for administrative and other expenses, and in addition thereto, the proceeds derived from the tax levied under said Act of April 21, 1934, are hereby appropriated and made available for the purposes for which appropriations are authorized to be made under the provisions of Section 16 (c) of said Act: Provided, That the Secretary of Agriculture shall transfer to the Treasury Department and is authorized to transfer to other agencies out of funds hereby made available for carrying out said Act of April 21, 1934, such sums as are required to carry out the provisions of said Act, including administrative expenses and refunds of taxes.

Tax collections to be

Ante, p. 605.

Proviso. Transfer of funds.

To enable the Secretary of Agriculture to carry out the purposes of the Act entitled "An Act to amend the Agricultural Adjustment Act Ante, p. 528. so as to include cattle and other products as basic agricultural commodities, and for other purposes" (Public, Numbered 142, Seventy-third Congress), approved April 7, 1934, there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, pursuant to the authorizations contained in sections 2 and 6 of said Act of April 7, 1934, \$100,000,000 for the purposes of the Agricultural Adjustment Act, as amended, and \$50,000,000 for the purposes specified in section 6 of said Act of April 7, 1934, including

the employment of persons and means in the District of Columbia and elsewhere and other necessary expenses; in all, \$150,000,000, to

remain available until December 31, 1935.

The sum of \$3,000 of the appropriation "Contingent expenses, tive House of Representatives: Folding documents, 1933 (03114)" is continued and made available for the same purposes during the fiscal year 1934.

Salaries, etc.

House of Representaves. Folding documents. Vol. 47, p. 390.

Approved, May 25, 1934.

[CHAPTER 353.]

AN ACT

[Public, No. 256]

To establish a department of physics at the United States Military Academy, West Point, New York.

United States Military Academy.
Professor of physics authorized; rank, pay,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter there is authorized one professor of physics at the United States Military Academy, with the same status, rank, pay, and allowances of other professors at said Military Academy.

Approved, May 26, 1934.

[CHAPTER 354.]

AN ACT

May 26, 1934. [S. 2794] [Public, No. 257.]

To amend the Longshoremen's and Harbor Workers' Compensation Act with respect to rates of compensation, and for other purposes.

Longshoremen's and Harbor Workers' Compensation Act amended.
Vol. 44, p. 1427; U.S.C.,
Supp. VII, p. 790.

Medical services Suspension of payments, injured employee refusing treatment.

Compensation for disability.

Permanent partial disability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (a) of section 7 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is amended by adding at the end thereof

the following new sentence: "If at any time during such period the employee unreasonably refuses to submit to medical or surgical treatment, the deputy commissioner may, by order, suspend the payment of further compensation during such time as such refusal continues, and no compensation shall be paid at any time during the period of such suspension, unless the circumstances justified the refusal.

SEC. 2. So much of subdivision (c) of section 8 of such Act, as amended, as precedes paragraph (13) thereof is amended to read as follows:

"(c) Permanent partial disability: In case of disability partial Descentage of aver in character but permanent in quality, the compensation shall be age weekly wages in addition to temporary total disability comtotal disability compensation.

Schedule.

C) Termanent partial disability: In case of disability partial disability partial disability compensation shall be in additionable to the compensation for temporary total disability paid in accordance with subdivision (b) of this section, and shall be paid to the employee, as follows:

"(1) Arm lost, two hundred and eighty weeks' compensation.
"(2) Leg lost, two hundred and forty-eight weeks' compensation. "(3) Hand lost, two hundred and twelve weeks' compensation.

"(4) Foot lost, one hundred and seventy-three weeks' compensation.

Eye lost, one hundred and forty weeks' compensation. "(5)

"(6)

Thumb lost, fifty-one weeks' compensation.
First finger lost, twenty-eight weeks' compensation. "(7) "(8) Great toe lost, twenty-six weeks' compensation.

"(9) Second finger lost, eighteen weeks' compensation. "(10) Third finger lost, seventeen weeks' compensation.
"(11) Toe other than great toe lost, eight weeks' compensation.
"(12) Fourth finger lost, seven weeks' compensation."

Sec. 3. Paragraph (22) of subdivision (c) of section 8 of such Act, as amended, is amended to read as follows:

"(22) In any case in which there shall be a loss of, or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively."

Vol. 44, p. 1428.

Loss of more than one member, not amounting to perma-nent total disability.

Compensation.

SEC. 4. Subdivision (j) of section 14 of such Act, as amended, is amended to read as follows:

"(j) Whenever the deputy commissioner determines that it is in 733.

"(j) Whenever the liability of the employer for compensation, Lump-sum settlements authorized.

Lump-sum settlements authorized. or any part thereof as determined by the deputy commissioner with the approval of the Commission, may be discharged by the payment of a lump sum equal to the present value of future compensation payments commuted, computed at 4 per centum true discount compounded annually. The probability of the death of the injured employee or other person entitled to compensation before the expira-nation. tion of the period during which he is entitled to compensation shall be determined in accordance with the American Experience Table of Mortality, and the probability of the remarriage of the surviving wife shall be determined in accordance with the remarriage tables of the Dutch Royal Insurance Institution. The probability of the happening of any other contingency affecting the amount or duration of the compensation shall be disregarded."

SEC. 5. Section 22 of such Act, as amended, is amended to read as

follows:

"MODIFICATION OF COMPENSATION CASES

"Sec. 22. Upon his own initiative, or upon the application of any party in interest, on the ground of a change in conditions or because of a mistake in a determination of fact by the deputy commissioner, the deputy commissioner may, at any time prior to one year after the date of the last payment of compensation, whether or not a compensation order has been issued, review a compensation case in accordance with the procedure prescribed in respect of claims in section 19, and in accordance with such section issue a new compensation order which may terminate, continue, reinstate, increase, or decrease such compensation. Such new order shall not affect any not affected, exception. compensation previously paid, except that an award increasing the compensation rate may be made effective from the date of the injury, and if any part of the compensation due or to become due is unpaid, an award decreasing the compensation rate may be made effective from the date of the injury, and any payment made prior thereto in excess of such decreased rate shall be deducted from any unpaid compensation, in such manner and by such method as may be determined by the deputy commissioner with the approval of the commission." Approved, May 26, 1934.

[CHAPTER 355.]

AN ACT

To authorize the coinage of 50-cent pieces in commemoration of the two-hundredth anniversary of the birth of Daniel Boone.

Be it enacted by the Senate and House of Representatives of United States of America in Congress assembled, That, in componential of Daniel Boone.

Coinage to commemorate authorized.

Director of the Mint six hundred

Number, etc. thousand 50-cent pieces of standard size, weight, and silver fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, to be legal tender in all payments at face value; but the United States shall not be subject to the expense of making the models or master dies or other preparations for this coinage.

Sec. 2. That the coins herein authorized shall be issued at par and iel Boone Bicentennial only upon the request of the secretary of the Daniel Boone Bicen- Commission.

tennial Commission.

Computation.

Other contingencies.

Vol. 44, p. 1437.

Modification of com-

Review authorized. Grounds of.

Time limit.

Vol. 44, p. 1435. New order.

May 26, 1934. [S. 3355.] [Public, No. 258.]

Bicentennial of birth

Legal tender. No Federal expense.

73d CONGRESS. SESS. II. CHS. 355, 356. MAY 26, 1934.

Disposal; use of proceeds.

Coinage laws appli-

Sec. 3. Such coins may be disposed of at par or at a premium by said Commission and all proceeds shall be used in furtherance of the Daniel Boone Bicentennial Commission projects.

Sec. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Approved, May 26, 1934.

[CHAPTER 356.]

AN ACT

May 26, 1934. [S. 2442.] [Public, No. 259.]

For the protection of the municipal water supply of the city of Salt Lake City, State of Utah.

Lands situate in Wasatch National Forest; description.

Salt Lake City, United States of America in Congress assembled, That hereafter Utah, water supply, Surface use of lands by settlers on mining locations made under the United States mining laws upon locations within water shed permitted.

Be we enacted by the Senate and House of Representatives of the Utah. States of the City of Salt Lake City, within the Wasatch National Forest in the State of Utah. specifically Be it enacted by the Senate and House of Representatives of the described as follows-

South half section 22; all of section 23; and sections 25 to 36, inclusive; township 1 south, range 2 east, Salt Lake meridian.

South half of section 30; and sections 31 to 33, inclusive; town-

ship 1 south, range 3 east, Salt Lake meridian.

Southeast quarter northeast quarter and east half southeast quarter section 11; south half and south half north half section 12; north half, southeast quarter, east half southwest quarter and northwest quarter southwest quarter section 13; east half northeast quarter and northeast quarter southeast quarter section 14; east half northwest quarter; and east half section 24; southeast quarter section 25, township 2 south, range 1 east, Salt Lake meridian.

All of township 2 south, range 2 east, Salt Lake meridian.

West half section 3; sections 4 to 9; west half and southeast quarter section 10, south half section 14; sections 15 to 23; west half section 24; west half section 25; sections 26 to 35; and west half section 36; township 2 south, range 3 east, Salt Lake meridian.

East half section 1, township 3 south, range 1 east, Salt Lake meridian.

Sections 1 to 18, inclusive; and sections 20 to 24, inclusive; town-

ship 3 south, range 2 east, Salt Lake meridian.
Sections 1 to 9, inclusive; north half section 10; and section 18, township 3 south, range 3 east, Salt Lake meridian. shall confer on the locator the right to occupy and use so much of

Proviso. Timber removal.

Restriction.

Mineral and timber the surface of the land covered by the location as may be reasonably rights granted. necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: Provided, however, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of nationalforest regulations, or permits issued thereunder, if such occupancy

or use is not in conflict with mineral development.

Sec. 2. That hereafter all patents issued under the United States Patents; rights conveyed by. mining laws affecting the above-mentioned lands within the municipal watershed of the city of Salt Lake City, within the Wasatch National Forest, in the State of Utah, shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture.

SEC. 3. That the public lands within the several townships and subdivisions thereof hereinafter enumerated, situate in Big Cotton-aside for reservoir purposes.

Sec. 3. That the public lands within the several townships and beginning the country of Salt Lake, State of Utah, are hereby poses. reserved from all forms of location, entry, or appropriation, whether under the mineral or nonmineral land laws of the United States, and set aside as a municipal water supply reservoir site for the use and benefit of the city of Salt Lake City, a municipal corporation of the State of Utah, as follows, to wit: Lands in sections 13 and 14, township 2 south, range 2 east; and sections 7, 17, and 18, township 2 south, range 3 east, Salt Lake meridian, Utah, as shown on reservoir map approved on January 25, 1924, under section 4 of the Act of February 1, 1905 (33 Stat. 628).

SEC. 4. That valid mining claims within the municipal watershed Existing valid mining of the city of Salt Lake City, within the Wasatch National Forest feeted. in the State of Utah, existing on the date of the enactment of this Act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of Utah, may be perfected under this Act, or under the laws under which they were initiated, as the claimant may desire.

Approved, May 26, 1934.

[CHAPTER 357.]

AN ACT

To amend section 10 of the Act entitled "An Act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes", approved May 14, 1898, as amended.

Be it enacted by the Senate and House of Representations, That the first United States of America in Congress assembled, That the first Alaska. Homestead laws paragraph of section 10 of the Act entitled "An Act extending the amended. Vol. 30, p. 413; Vol. 40, p. 1365.

District of Alaska and providing for right-of-way for railroads in U.S.C., p. 1597; Supp. Will p. 987. Be it enacted by the Senate and House of Representatives of the the District of Alaska, and for other purposes", approved May 14, U.S.C., p. 1597; Supp. 1898, as amended (U.S.C., title 48, secs. 461, 462, 463, 464, and 465; U.S.C., Supp. VI, title 48, sec. 461), is amended by inserting after the first proviso in such paragraph as amended, the following:

"Provided further, That any citizen of the United States, after occupying land of the character described as a homestead or head-to purchase tract. quarters, in a habitable house, not less than five months each year

Surface title reserved.

Big Cottonwood Can-

May 26, 1934. [H.R. 7306.] [Public, No. 260.]

73d CONGRESS. SESS. II. CHS. 357, 363. MAY 26, 28, 1934.

Limit of acreage.

Price. Surveys.

Vol. 40, p. 633; Vol. 44, p. 243.

Minimum payment.

Purchase restriction.

for three years, may purchase such tract, not exceeding five acres. in a reasonable compact form, without any showing as to his employment or business, upon payment of \$2.50 per acre, under rules and regulations to be prescribed by the Secretary of the Interior, and in such cases surveys may be made without expense to the applicants in like manner as the survey of settlement claims under the Act of June 28, 1918 (40 Stat. 632), as amended by section 1 of the Act of April 13, 1926 (44 Stat. 243): And provided further, That the minimum payment for any such tract shall be \$10, and no person shall be permitted to purchase more than one tract except upon a showing of good faith and necessity satisfactory to the Secretary of the Interior."

Approved. May 26, 1934.

[CHAPTER 363.]

AN ACT

May 28, 1934. [H.R. 9530.] [Public, No. 261.] Granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows".

Puget Sound.
Pierce County,
Wash., may bridge at
"The Narrows".

Construction. Vol. 34, p 84.

Tolls, if charged, to be adjusted to provide for operation and sink-ing fund.

To be a free bridge fter amortizing cost, after

Record of expenses and receipts to be kept.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows", at a point suitable to the interests of navigation, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Sec. 2 If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Sec. 3. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, May 28, 1934.

[CHAPTER 364.]

AN ACT

To authorize the Secretary of the Interior to issue patents for lots to Indians vithin the Indian village of Taholah, on the Quinaielt Indian Reservation, Washington.

May 28, 1934. [S. 1882.] [Public, No. 262.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, upon application Patents to Indians by any qualified Indian living within the Indian village of Taholah, of Taholah village. on the Quinaielt Indian Reservation in the State of Washington, to to 1 issue to such Indian a patent for not to exceed two contiguous lots within said village, one of which lots must be occupied by said applicant: Provided, That where pursuant to section 10 of the Act of June 25, 1910 (36 Stat.L. 858), one lot within said Indian village prior patentee. has heretofore been patented to any Indian living thereon said amended.

Proviso.

Additional lot to prior patentee. No. 10 of the Act prior patentee. No. 201, 36, p. 858, amended. Secretary of the Interior is hereby authorized to patent to such Indian, or to his or her heirs in case of death, one additional contiguous lot wherever available. All patents issued hereunder shall be of the legal effect prescribed by said section 10 of the Act of June 25, 1910, and all lots so patented to said Indians shall be disposed of as provided for in section 1 of that Act.

Legal effect of patents.

Approved, May 28, 1934.

[CHAPTER 365.]

JOINT RESOLUTION

To prohibit the sale of arms or munitions of war in the United States under _ certain conditions.

May 28, 1934. [H.J.Res. 347.] [Pub. Res., No. 28.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That if the President finds States of America in Congress assembled, That if the President finds that the prohibition of the sale of arms and munitions of war in the United States to those countries now engaged in armed conflict in the Chaco may contribute to the procedule of procedule of the consultation and consultation the Chaco may contribute to the reestablishment of peace between operation with other than the consumer of American Republics. those countries, and if after consultation with the governments of other American Republics and with their cooperation, as well as that of such other governments as he may deem necessary, he makes proclamation to that effect, it shall be unlawful to sell, except under such limitations and exceptions as the President prescribes, any arms or munitions of war in any place in the United States to the countries now engaged in that armed conflict, or to any person, company, or association acting in the interest of either country, until otherwise ordered by the President or by Congress.

SEC. 2. Whoever sells any arms or munitions of war in violation Punishment for vioof section 1 shall, on conviction, be punished by a fine not exceeding \$10,000 or by imprisonment not exceeding two years, or both.

Approved, May 28, 1934.

[CHAPTER 367.]

AN ACT

To regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes.

May 29, 1934. [H.R. 6803.] [Public, No. 263.]

Be it enacted by the Senate and House of Representatives of the Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter missioned officers. Distribution, promogeneous commissioned officers of the Marine Corps shall be distributed in Distribution, promogeneous commissioned officers. commissioned officers of the Marine Corps shall be distributed in grades, promoted, retired, and discharged in like manner and with

¹ So in original.

Distribution of general officers.

Heads of staff departments to be brigadier generals, while so serving.

Major general. Vol. 40, p. 715.

General officers of the line computed as grade above colonel.

Computation of com-

Selection boards; composition and pro-

advancement.

Selection not jeop-ardized by staff, etc., duty.

Physical fitness. R.S., sec. 1493, p. 258; U.S.C., p. 1129. Disqualification by wounds. R.S., sec. 1494, p. 258; U.S.C., p. 1129.

Sea service require-ment not applicable. Promotion regardless of length of service in grade.

No officer completing sufficient service in-eligible until once con-sidered by board.

Staff eligible list. Consideration of names on, by subse-quent board forbidden.

Proviso. Removal of name.

the same relative conditions in all respects as are provided for com-Navy system to apmissioned officers of the line of the Navy, by existing law, or by laws hereafter enacted, except as may be necessary to adapt the said provisions to the Marine Corps, or as herein otherwise provided.

Sec. 2. That of the authorized number of commissioned officers above the grade of colonel, one shall be the Major General Commandant, two thirds shall be brigadier generals, and the remainder shall be major generals.

Sec. 3. That the heads of staff departments shall be general officers while so serving, in addition to the number of general officers otherwise herein provided, with the rank, pay, and allowances of brigadier They shall be carried in the grades or ranks from which generals. appointed.

Sec. 4. That promotion to major general of the line shall be from

brigadier generals of the line.

Sec. 5. That in computing the number of colonels to be recommended for promotion or to be designated for retention on the active list the general officers of the line shall be considered as constituting

the grade next above that of colonel.

Sec. 6. That commissioned service of officers for the purpose of this Act shall consist of all commissioned service on the active list of the Marine Corps, whether under a temporary or permanent appointment, and all commissioned service on active duty in the Marine Corps Reserve and the National Naval Volunteers.

Sec. 7. That selection boards shall consist of not less than six officers on the active list of the Marine Corps, the composition and procedure of the boards to be determined by the Secretary of the Proviso.
Recommendation for Navy: Provided, That no officer shall be recommended for advancement unless he shall have received the recommendation of not less than two thirds of the members of the board.

Sec. 8. That administrative staff duty performed by any officer under appointment or detail, and duty in aviation, or in any technical specialty, shall be given weight by the selection board in determining his fitness for promotion equal to that given to line duty equally well performed.

Sec. 9. That section 1493, Revised Statutes (U.S.C., title 34, sec. 665), is so far amended in its application to the Marine Corps as to require that no officer shall be promoted to a higher grade, excepting in the case provided in section 1494, Revised Statutes (U.S.C., title 34, sec. 666), until he has been examined by a board of Naval medical officers and pronounced physically fit to perform all his duties at sea and in the field.

SEC. 10. That the requirement of sea service in grade shall not apply to promotion of officers of the Marine Corps; and officers in the upper four sevenths of the grades below brigadier general, subject to selection as established by the first section of this Act, shall be eligible for consideration by selection boards and for promotion without regard to length of service in grade: Provided, That no officer of the Marine Corps shall be ineligible for consideration for promotion by reason of completion of length of commissioned service until he shall have been once considered by a selection board.

SEC. 11. That an officer whose name is placed on an eligible list for appointment as head of a staff department shall not be again considered for that office by any subsequent selection board, except as otherwise provided in this section, and shall, in respect to involuntary retirement, be in the same status as if on a promotion list: Provided, That the Secretary of the Navy may, in his discretion, with the approval of the President, remove his name from such list

and submit it to the next ensuing selection board for consideration and recommendation. If recommended for appointment by said board and approved by the President, the name of such officer shall ment. be replaced on the eligible list from which removed without prejudice by reason of its having been temporarily removed therefrom. If not recommended by said board, such officer shall be subject to involuntary retirement under the same conditions as provided for in the case of an officer whose name is not on a promotion list.

Sec. 12. That for the purposes of distribution and promotion in the "Grade" and Marine Corps grade and rank shall be considered as meaning the

Sec. 13. That the Major General Commandant shall be appointed

as now provided by law.

Sec. 14. That the selection board recommending colonels for proeach staff department, and the names of officers so recommended, approved by the President, shall be placed on an eligible list for such appointment, one list for each department. motion shall recommend the number of officers of the rank of colonel hereafter, heads of staff departments shall be appointed for four years from officers whose names appear on the eligible lists for the respective departments.

Sec. 15. That section 7 of the Act of March 4, 1925 (43 Stat.L. 1272; U.S.C., title 34, secs. 624, 630, 663, 669, and 684), and all other laws and parts of laws, insofar as the same are inconsistent with, or in conflict with the provisions of this Act, are, except as

they apply to officers heretofore, retired thereunder, hereby repealed. Sec. 16. That officers of the Marine Corps in the ranks or grades of lieutenant colonel and major shall not be retired because of not nel and major to inbeing on a promotion list or on an eligible list for appointment as voluntary retirement. head of a staff department, and shall be eligible for a retired because of not nel and major to inbead of a staff department, and shall be eligible for a retired because of not nel and major to inbead of a staff department, and shall be eligible for a retired because of not nel and major to inbead of a staff department. head of a staff department, and shall be eligible for consideration for Eligibility for conpromotion by selection boards without regard to completion of twenty-eight and twenty-one years' commissioned service, respec-tively. Upon promotion or advancement after the approval of this tively. Upon promotion or advancement after the approval of this upon promotions after Act, with the exception of the Major General Commandant, heads of effective date. staff departments with the rank of brigadier general, an officer of the Marine Corps who may be appointed as Judge Advocate General of the Navy, and commissioned warrant officers, which officers shall receive the pay and allowances provided by law for their rank, commissioned officers of the Marine Corps shall receive the pay and allowances of the grade or rank from which promoted or advanced: Provided. That officers in the grades or ranks stated shall receive the pay and allowances of the grades or ranks in which serving upon ing line number. attaining the number on the lineal lists of such grades or ranks, as follows: Major general, two (excluding the Major General Commandant); brigadier general, six; colonel, thirty-five (common list); lieutenant colonel, thirty-eight (common list); major, eighty; captain, two hundred and fifty-six; first lieutenant, two hundred and twenty-four.

SEC. 17. Section 4 of the Act approved February 28, 1925 (43 Marine Corps Reserve or Stat.L. 1081; U.S.C., title 34, sec. 753), as amended, is hereby Minimum age for amended to the extent that, hereafter, the minimum age limit for vol. 43, p. 1081. enlistment in the Naval Reserve or the Marine Corps Reserve shall U.S.C., p. 1133. be the same as that for enlistment in the Regular Navy.

Approved, May 29, 1934.

Replaced, if recom-mended for appoint-

Involuntary retire-

"Grade" and "rank"

Major General Com-mandant, appointment.

Heads of staff depart-

Repeal provisions. Vol. 43, p 1272. U.S.C., p. 1128. Exception.

Proriso.

[CHAPTER 368.]

AN ACT

May 29, 1934. [H.R. 9068.] [Public, No. 264.]

To provide for promotion by selection in the line of the Navy in the grades of lieutenant commander and lieutenant; to authorize appointment as ensigns in the line of the Navy all midshipmen who hereafter graduate from the Naval Academy; and for other purposes.

Navy, promotion by selection in the line. Vol. 39, p. 578; U.S.C., p. 1110.

Retirement of lieutenants and lieutenants

(junior grade).
Promotion list to be furnished selection board.

Junior lieutenant, service requirement for promotion.

Recommendation board. Composition.

Selection for promotion, grades below lieutenant commander.
Vol. 46, p. 1483; Vol. 46, p. 1483; U.S.C., Supp. VII, p.

Naval Academy graduates. Vol. 47, p. 149; U.S.C., Supp. VII, p. 801.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That except as 578; otherwise provided in this Act, the provisions of existing law with reference to promotion by selection in the line of the Navy and the retirement of officers who are not on the promotion list or who are found not professionally qualified are hereby extended to include Lieutenant com- and authorize promotion to the grades of lieutenant commander and mander and lieutenant lieutenant and the retirement. lieutenant, and the retirement of lieutenants and lieutenants (junior grade). The number to be recommended for promotion to each such grade and to be placed upon the promotion list shall be furnished the selection board for that grade by the Secretary of the Navy and shall be the number of existing vacancies in the grade concerned plus such additional number, if any, as the needs of the service may require.

SEC. 2. That lieutenants (junior grade) who on June 30 of the year of the convening of the board shall have had three years' service in the grade of junior lieutenant shall be eligible for consideration for selection for promotion to the next higher grade.

SEC. 3. That the board for the recommendation of line officers for promotion to the grades of lieutenant commander and lieutenant shall consist of nine officers on the active list of the line of the Navy above the rank of commander, not restricted by law to the performance of shore duty only, at least one of whom shall be a rear admiral.

Sec. 4. That for the purpose of extending section 3 of the Act of March 3, 1931 (46 Stat. 1483; U.S.C., Supp. VII, title 34, sec. 286a), to officers below the rank of lieutenant commander, the said section Service requirements is amended so that the length of service therein prescribed shall modified.

Service requirements be fourteen years for liquid nearly and the service therein prescribed shall be fourteen years for liquid nearly and the service therein prescribed shall nearly and the service that the service the service the service that the service the service the service that t be fourteen years for lieutenants and seven years for lieutenants Ineligibility provie (junior grade): Provided, That no officer of said rank shall become sions.
Involuntary transfers so ineligible prior to June 30 of the second calendar year following to retired lists.

the date of this Act: And provided further, That the restriction on U.S.C., Supp. VII, p. 806.

the date of this Act: And provided further, That the restriction on fixed year to the retired p. 806.

the date of this Act: And provided further, That the restriction on fixed year to the retired p. 806.

the date of this Act: And provided further, That the restriction on fixed year to the retired p. 806.

1484; U.S.C., Supp. VII, title 34, sec. 286e), shall not apply to the grade of lieutenant and lieutenant (junior grade).

SEC. 5. That section 1 of the Act approved May 6, 1932 (47 Stat. 149; U.S.C., Supp. VII, title 34, sec. 12), is hereby amended by inserting the words "in 1934 and hereafter" after the words "midshipmen who", and the words "Provided, That all former midshipmen graduated in 1933 who received a certificate of graduation and honorable discharge and whether they have since been married or not may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to August 1, 1934, by the President and shall take rank next after the junior ensign appointed in 1933 and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: And provided further," after the words "Naval Academy" and by striking out "in 1932, and at least 50 per centum of all graduates in subsequent years: Provided", so that as amended the said section will read as follows:

"That the President of the United States is authorized, by and with the advice and consent of the Senate, to appoint as ensigns in the line of the Navy all midshipmen who in 1934 and hereafter graduate from the Naval Academy: Provided, That all former mid-

Appointment of mid-shipmen as ensigns.

Provisos.

shipmen graduated in 1933 who received a certificate of graduation and honorable discharge and whether they have since been married or not may, upon their own application, if physically qualified, and under such regulations as the Secretary of the Navy may prescribe, be appointed as ensigns prior to August 1, 1934, by the President and shall take rank next after the junior ensign appointed in 1933 and among themselves in accordance with their proficiency as shown by the order of merit at date of graduation: And provided further, That the number of such officers so appointed shall, while in excess as extra numbers, etc. of the total number of line officers otherwise authorized by law, be considered in excess of the number of officers in the grade of ensign as determined by any computation, and shall be excluded from any computation made for the purpose of determining the authorized number of line officers in any grade on the active list above the grade of lieutenant (junior grade) until the total number of line officers shall have been reduced below the number otherwise authorized by law."

Class of 1933.

Sec. 6. That hereafter any staff officer on the active list below the motions, staff with line rank of lieutenant commander shall be advanced to the next higher officers. rank in his corps when the running mate of such staff officer or an officer junior to such running mate has been promoted to that higher rank in the line of the Navy or when a vacancy in that rank exists in the line of the Navy which will in due course be filled by the promotion of his running mate or an officer junior to his running mate: with law for such advancement. The provisions of law relating to ments.

Proviso.

Qualification requirements.

Proviso.

Qualification requirements. the advancement of staff officers now embodied in sections 255, 321, U.S.C., Supp. VII, and 348r (Supplement VII), of title 34, United States Code, are hereby amended in accordance with this section.

Approved, May 29, 1934.

[CHAPTER 369.]

AN ACT

To provide for the donation of certain Army equipment to posts of the American Legion.

[Public, No. 265.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary onuea states of America in Congress assembled, That the Secretary American Legion. Obsolete Army equipof War is authorized and directed to give to each post of the American Legion. Obsolete Army equipoien Legion to which checkets are given to each post of the American Legion. ican Legion to which obsolete or condemned Army rifles, slings, or cartridge belts have been loaned under authority of the Act entitled "An Act authorizing the Secretary of War to loan Army rifles to posts of the American Legion", approved February 10, 1920, as amended, any such equipment now held by such post, and to cancel and release all obligations to the United States incurred pursuant to such Act in connection with loans of such equipment to posts of the American Legion.

Vol. 41, pp. 403, 977.

Approved, May 29, 1934.

[CHAPTER 370.]

AN ACT

To amend the laws relating to the length of tours of duty in the Tropics and certain foreign stations in the case of officers and enlisted men of the Army, Navy, and Marine Corps, and for other purposes.

May 29, 1934. [S. 3397.] [Public, No. 266.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of Army, etc., officers. (requiring assignments of officers of the Army, Navy, or Marine Corps to permanent duty in the Tropics and at certain foreign stations to be for not less than three years) of the Treasury and Post

Vol. 47, p. 1516. U.S.C., Supp. VII, p. 97.

Tour of duty restrictions extended to Asia, certain insular possessions, and Canal Zone.
Vol. 38, p. 1078.

Proviso.
Philippine Scouts not affected.

Office Appropriation Act, fiscal year 1934, approved March 3, 1933

(U.S.C., Supp. VII, title 10, sec. 17a), is hereby repealed.

SEC. 2. The second and third provisos in the paragraph with the heading "Barracks and Quarters, Philippine Islands" in the Act entitled "An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1916", approved March U.S.C., Supp. VII, 4, 1915 (U.S.C., Supp. VII, title 10, sec. 17), are hereby amended to read as follows: "No officer or enlisted man of the Army shall, except upon his own request, be required to serve in a single tour of duty for more than two years in the Philippine Islands, on the Asiatic Station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone, except in case of insurrection or of actual or threatened hostilities and except in the discretion of the Secretary of War for temporary emergencies: Provided, That the foregoing provision shall not apply to the organization known as the Philippine Scouts'".

Approved, May 29, 1934.

[CHAPTER 371.]

AN ACT

May 30, 1934. [H.R. 2837.] [Public, No. 267.]

To provide for the establishment of the Everglades National Park in the State of Florida and for other purposes.

Everglades National Park, Fla. Establishment, when title to lands is vested in United States. Area, location, etc.

Vol. 45, p. 1443.

Proviso. Lands secured only by donation.

Acceptance of title.

Proviso. Restriction, until exelusive jurisdiction over entire area is ceded.

National Park Service to administer, etc.

Vol. 39, p. 535.

Provisos.
Water Power Act not applicable.
Vol. 41, p. 1063.
Rights of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands within boundaries to be determined by the Secretary of the Interior within the area of approximately two thousand square miles in the region of the Everglades of Dade, Monroe, and Collier Counties, in the State of Florida, recommended by said Secretary, in his report to Congress of December 3, 1930, pursuant to the Act of March 1, 1929 (45 Stat., pt. 1, p. 1443), shall have been vested in the United States, said lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Everglades National Park: Provided, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

Sec. 2. The Secretary of the Interior is hereby authorized, in his

discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: Provided, That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States.

Sec. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to this park: Provided further, That nothing in this Act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the

Everglades National Park is created: And provided further, That No Federal expense for first 5 years. the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid park within a period of five years from the date of approval of this Act.

Sec. 4. The said area or areas shall be permanently reserved as a wilderness, and no development of the project or plan for the entertainment of visitors shall be undertaken which will interfere with the preservation intact of the unique flora and fauna and the essential primitive natural conditions now prevailing in this area.

Permanently re-

Approved, May 30, 1934.

[CHAPTER 372.]

AN ACT

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1935, and for other purposes.

May 30, 1934. [H.R. 8617.] [Public, No. 268.]

Be it enacted by the Scnate and House of Representatives of the United States of America in Congress assembled, That the folthe United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not 1935. otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1935, namely:

SENATE

SALARIES AND MILEAGE OF SENATORS

For compensation of Senators, \$864,000. For mileage of Senators, \$38,250.

For compensation of officers, clerks, messengers, and others:

Senate.

Senators.

Compensation.

Mileage.

Officers, clerks, mes-sengers, etc.

Vice President's of-

OFFICE OF THE VICE PRESIDENT

Salaries: Secretary to the Vice President, \$4,620; clerk, \$2,400; assistant clerks—one \$2,280, one \$2,160; in all, not to exceed \$10,314

CHAPLAIN

Secretary to, and clerks.

Chaplain.

Chaplain of the Senate, \$1,512.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of the Senate, including compensation as dis- clerks, etc. bursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; chief clerk, who shall perform the duties of reading clerk, \$5,500 and \$1,000 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,200; minute and Journal clerk, \$5,000 and \$1,000 additional so long as the position is held by the present incumbent; principal clerk, \$3,600; legislative clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; enrolling clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; tion is held by the present incumbent; printing clerk, \$3,540; chief bookkeeper, \$3,600; librarian, \$3.360; executive clerk, and assistant Journal clerk, at \$3,180 each; first assistant librarian, and keeper of stationery, at \$3,120 each; assistant librarian, and assistant keeper of stationery, at \$2,400 each; clerks—one at \$2,880 and \$300 additional so long as the position is held by the present incumbent, three at \$2,880 each, two at \$2,640 each, one at \$2,400, four at \$2,040 each, two at \$1,740 each; messenger in library, \$1,380; special officer,

\$2,460; assistant in library, \$1,740; laborers—one at \$1,620, five at \$1,380 each, one in secretary's office, \$1,680; in all, not to exceed \$108,108.

Document room.

DOCUMENT ROOM

Superintendent, etc.

Salaries: Superintendent, \$3,960; first assistant, \$3,360; second assistant, \$2,400; four assistants, at \$1,860 each; skilled laborer, \$1,380; in all, not to exceed \$16,686.

Committee employ-

COMMITTEE EMPLOYEES

Clerks and messengers.

Clerks and messengers to the following committees: Agriculture and Forestry-clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$4,200; assistant clerk \$3,900; three assistant clerks at \$3,000 each; two assistant clerks at \$2,220 each; messenger, \$1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Banking and Currency—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,880; two assistant clerks at \$2,220 each. Commerce—clerk, \$3,900; assistant clerk, \$2,880; ant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220. Conference Majority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; Confertwo assistant clerks at \$2,580 each; assistant clerk, \$2,220. ence Minority of the Senate-clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. District of Columbia—clerk, \$3,900; two assistant clerks at \$2,880 each; assistant clerk, \$2,220; additional clerk, \$1,800. Education and Labor—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$3,900; assistant clerk, \$2,220; additional clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Expendence itures in the Executive Departments-clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Financeclerk, \$4,200; special assistant to the committee, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,700; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; two experts (one for majority and one for the minority) at \$3,600 each; messenger, \$1,800. Foreign relations—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immigration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Indian Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,20; additional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Irrigation and Reclamation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Judiciary—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Library—clerk, \$3,900; two assistant clerks, at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Manufactures—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Military Affairsclerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant

clerk, \$2,400; two assistant clerks at \$2,220 each. Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; two additional clerks, at \$1,800 each. Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Patents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900; assistant clerk, \$2,580; four assistant clerks at \$2,220 each. Offices and Post Roads—clerk, \$3,900; assistant clerk, \$2,880; three assistant clerks at \$2,220 each; additional clerk, \$1,800. Printing—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Privileges and Elections—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Buildings and Grounds—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Revision of the Laws-clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Rules—clerk, \$3,900 and \$200 toward the preparation Manual. biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Territories and Insular Possessions—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; assistant clerk, \$2,000; additional clerk, \$1,800; in all, not to exceed \$443,880.

CLERICAL ASSISTANCE TO SENATORS

Clerical assistance to Senators who are not chairmen of the com- Allowance to Senators mittees specifically provided for herein, as follows: Seventy clerks specified committees. at \$3,900 each; seventy assistant clerks at \$2,400 each; and seventy assistant clerks at \$2,220 each; such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which committee their Senator is chairman; seventy additional clerks at \$1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, \$1,800; in all not to exceed \$651,780.

Clerical assistance to

Allowance to Sena-

Ex-officio clerks of

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secre- Doorkeeper, secretaries, taries (one for the majority and one for the minority), at \$5,400 etc. each; two assistant secretaries (one for the majority and one for the minority), at \$4,320 each; Deputy Sergeant at Arms and storekeeper, \$4,440; clerks—one, \$2,640, one at \$1,800 from April 1, Clerks, messengers, 1934, to June 30, 1935, both dates inclusive, \$2,250, three at \$1,800 each; messengers-three (acting as assistant doorkeepers, including one for the minority), at \$2,400 each, thirty (including two for minority), at \$1,740 each, four, at \$1,620 each, one at card door, \$2,400, and \$480 additional so long as the position is held by the present incumbent; two special messengers, at \$1,800 each; clerk on journal work for Congressional Record to be selected by the official reporters, \$3,360; upholsterer and locksmith, \$2,400; cabinetmaker, \$2,040; three carpenters, at \$2,040 each; janitor, \$2,040; five skilled laborers, \$1,680 each; laborer in charge of private passage, \$1,680; three female attendants in charge of ladies' retiring rooms, at \$1,500 each; three attendants to women's toilet rooms, Senate Office Building, at \$1,500 each; telephone operators—chief, \$2,460, laver of \$1,500 each; telephone operators—chief, \$2,460, laver operators—chief, \$2,460, lav eleven, at \$1,560 each; laborer in charge of Senate toilet rooms in old library space, \$1,200; press gallery—superintendent, \$3,660; assistant superintendent, \$2,520; messengers for service to press correspondents—one, \$1,920, one, \$1,440; laborers—three, at \$1,320 each;

Office of Sergeant at Arms, etc.

Laborers, etc.

Pages.

twenty-five, at \$1,260 each; special employees—six, at \$1,000 each; twenty-one pages for the Senate Chamber, at the rate of \$4 per day each, during the session, \$13,680; in all, not to exceed \$212,934.

Police, Senate Office Building.

Police force for Senate Office Building under the Sergeant at Arms: Special officer, \$1,740; thirty-one privates at \$1,620 each; in all, not to exceed \$46,764.

Post Office.

POST OFFICE

Postmaster, sistant, etc.

Salaries: Postmaster, \$3,060; assistant postmaster, \$2,880; chief clerk, \$2,460; wagon master, \$2,040; twenty mail carriers. at \$1,620 each; in all, not to exceed \$38,556.

Folding Room.

FOLDING ROOM

Salaries.

Salaries: Foreman, \$2,460; assistant, \$2,160; clerk, \$1,740; folders-chief, \$2,040, fourteen at \$1,440 each; in all, not to exceed \$25,704.

Legislative Pay Act of 1929 amended. Vol. 46, p. 32.

The provisions of the Legislative Pay Act of 1929 are hereby amended so as to correspond with the changes made by this Act in the designations and rates of salary of certain positions under the Senate.

Contingent expenses.

CONTINGENT EXPENSES OF THE SENATE

Automobile for Vice President.

For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$9,000, of which \$5,000 shall be immediately available.

Reporting debates, etc.

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$57,323.

Furniture, cleaning, repairing, etc.

For services in cleaning, repairing, and varnishing furniture, \$2,000.

Inquiries and investigations.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$118,955: Provided, That no part of this appropria-

Salary restriction. Salary restriction. Salary restriction shall be expended for services, personal, professional, or otherwise, in excess of the rate of \$3,600 per annum: Provided further, That no part of this appropriation shall be expended for per diem and subsistence. Vol. 44, p. 688.

U.S.C., Supp. VII, p. 53.

Intuitied words, \$116,335.1700tatea, That no part of this appropriation of the rate of \$3,600 per annum: Provided further, and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Provisos. Salary restriction.

For payment of one half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized

by_law, \$25,500.

Joint Committee on nternal Revenue Taxation. One half expenses.

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$10,000.

Folding, etc.

For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

Fuel, oil, advertising, etc.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, fiscal year 1934, \$35,000.

No part of any appropriation contained in this Act, except the

Senate kitchens and restaurants.

> appropriation made herein for the Senate kitchens and restaurants for the fiscal year 1934, and except the appropriations available for heated and lighted space and janitor service for restaurants and kitchens, shall be used for the operation of any restaurant.

Operation restriction.

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$7,780.

For materials for folding, \$1,500.

For miscellaneous items, exclusive of labor, \$187,345, of which \$90,000 shall be for the fiscal year 1934.

For packing boxes, \$970.

Postage stamps: For office of Secretary, \$250; office of Sergeant at Arms, \$100; in all, \$350.

For the purchase of furniture, \$5,000.

For materials for furniture and repairs of same, exclusive of labor, \$3,000.

For stationery for Senators for the first session of the Seventyfourth Congress and for the President of the Senate, including \$7,360 for stationery for committees and officers of the Senate, \$19,500.

For rent of warehouse for storage of public documents, \$2,000.

Vehicles, etc.

Materials for folding. Miscellaneous items.

Packing boxes.

Postage stamps.

Furniture, purchase,

Stationery.

Warehouse

Members.

HOUSE OF REPRESENTATIVES

SALARIES AND MILEAGE OF MEMBERS

For compensation of Members of the House of Representatives, Delegates, and Resident Commissioner from Puerto dent Commissioners. Rico, and the Resident Commissioners from the Philippine Islands,

For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska and the Resident Commissioners from the Philippine Islands, \$131,250.

For compensation of officers, clerks, messengers, and others:

Officers, clerks, mes-sengers, etc.

Speaker's office

Salaries: Secretary to the Speaker, \$4,620; clerk to Speaker, \$2,400; clerk to Speaker, \$1,440; messenger to Speaker, \$1,680; in all not to exceed \$9,126.

THE SPEAKER'S TABLE

OFFICE OF THE SPEAKER

Secretary, etc.

Salaries: Parliamentarian, \$4,500, and for preparing Digest of the Rules, \$1,000 per annum; Assistant Parliamentarian, \$2,760; messenger to Speaker's Table, \$1,740; in all not to exceed \$9,000.

Speaker's table.

CHAPLAIN

Chaplain of the House of Representatives, \$1,512.

OFFICE OF THE CLERK

Clerk's office.

Chaplain.

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$8,000; Journal clerk, two reading clerks, and tally clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing clerk, \$3,960; file clerk, \$3,780; chief bill clerk, \$3,540; assistant enrolling clerk, \$3,180; assistant to disbursing clerk, \$3,120; stationery clerk, \$2,880; librarian, \$2,760; assistant librarian, and assistant file clerk, at \$2,520 each; assistant Journal clerk, and assistant librarian, at \$2,460 each; clerks—one \$2,460, three at \$2,340 each; bookkeeper, and assistant in disbursing office, at \$2,160 each; four assistants to chief bill clerk at \$2.100 each; stenographer to the Clerk, \$1.980; assistant in stationery room, \$1,740; three messengers at \$1,680 each; stenographer to Journal

Clerk of the House, clerks, etc.

Mileage.

House of Representa-

clerk, \$1,560; laborers—three at \$1,440 each, nine at \$1,260 each; telephone operators—assistant chief, \$1,620, twenty-one at \$1,560 each; substitute telephone operator, when required, at \$4 per day, \$1,460; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, \$3,960; two assistant custodians at \$3,360 each; locksmith and typewriter repairer, \$1,860; messenger and clock repairer, \$1,740; operation, maintenance, and repair of motor vehicles, \$1,200; in all not to exceed \$148,332.

Committee employ-

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors.

Clerks, messengers, and janitors to the following committees: Accounts—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$5,000 and \$1,000 additional so long as the position is held by the present incumbent; three assistant clerks at \$3,900 each; assistant clerk, \$3,600; two assistant clerks at \$3,300 each; messenger, \$1,680. Banking and Currency—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor, \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260. Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Coinage, Weights, and Measures—clerk, \$2,760; janitor, \$1,260. Disposition of Useless Executive Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Education—clerk, \$3,300; Election of Precident janitor, \$1,260. Education—clerk, \$2,760. Election of President, Vice President, and Representatives in Congress—clerk, \$2,760. Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elections Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections Numbered 3 clerk, \$2,760; janitor, \$1,260. Encetions Numbered 2—clerk, \$2,760; janitor, \$1,260. Enrolled Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in Executive Departments—clerk, \$3,300; janitor, \$1,260. Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Immigration and Naturalization—clerk, \$3,300; janitor, \$1,260. Indian Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Indian Affairs—clerk, \$3,300; ianitor, \$1,260. Interstate and Foreign Affairs—clerk, \$2,760; ianitor, \$1,260. Insular Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and Foreign Commerce—clerk, \$3,900; additional clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Reclamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—clerk, \$3,300; assistant clerk, \$2,880; expert examiner, \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—clerk, \$3,900; assistant clerk, \$2,160; assistant 51,500. Judiciary—clerk, \$5,500; assistant clerk, \$2,160; assistant clerk, \$1,980; janitor, \$1,500. Labor—clerk, \$2,760; janitor, \$1,260. Library—clerk, \$2,760; janitor, \$1,260. Merchant Marine, Radio, and Fisheries—clerk, \$2,760; janitor, \$1,260. Military Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pages clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,260. Pensions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260. Post Office and Post Roads—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor, \$1,560. Public Buildings and Grounds—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Revision of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,260. Territories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and Means—clerk, \$4,620;

assistant clerk and stenographer, \$2,640; assistant clerk, \$2,580; clerk for minority, \$3,180; janitors—one, \$1,560; one, \$1,260. World War Veterans' Legislation—clerk, \$3,300; assistant clerk, \$2,460; in all, not to exceed \$266,400.

OFFICE OF SERGEANT AT ARMS

Office of Sergeant at Arms.

Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant at Arms, deputy, cashier, etc. \$3,180; cashier, \$4,920; two bookkeepers at \$3,360 each; Deputy Sergeant at Arms in charge of pairs, pair clerk and messenger, and assistant cashier, at \$2,820 each; stenographer and typewriter, \$600;

\$30,534.
Police force, House Office Building, under the Sergeant at Arms: Lieutenant, \$1,740; sergeant, \$1,680; thirty-seven privates at \$1,620 each; in all not to exceed \$57,024.

skilled laborer, \$1,380; hire of automobile, \$600; in all not to exceed

Police, House Office Building.

OFFICE OF DOORKEEPER

Doorkeeper's office.

Salaries: Doorkeeper, \$6,000; special employee, \$2,820; superintendent of House press gallery, \$3,660; assistant to the superintendent of the House press gallery, \$2,520; chief janitor, \$2,700; messengers—seventeen at \$1,740 each, fourteen on soldiers' roll at \$1,740 each; laborers—seventeen at \$1,260 each, two (cloakroom) at \$1,380 each, one (cloakroom) \$1,260, and seven (cloakroom) at \$1,140 each; three female attendants in ladies' retiring rooms at \$1,680 each, attendant for the ladies' reception room, \$1,440; superintendent of folding room, \$3,180; foreman of folding room, \$2,640; chief clerk to superintendent of folding room, \$2,460; three clerks at \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one folders at \$1,440 each; shipping clerk, \$1,740; two drivers at \$1,380 each; two chief pages at \$1,980 each; two telephone pages at \$1,680 each; two floor managers of telephones (one for the minority) at \$3,180 each; two assistant floor managers in charge of telephones (one for the minority) at \$2,100 each; forty-one pages, during the session, including ten pages for duty at the entrances to the Hall of the House, at \$4 per day each, \$26,716; press-gallery page, \$1,920; superintendent of document room (Elmer A. Lewis), \$3,960; assistant superintendent of document room, \$2,760 and \$420 additional so long as the position is held by the present incumbent; clerk, \$2,320; assistant clerk, \$2,160; eight assistants at \$1,860 each; janitor, \$1,440; messenger to pressroom, \$1,560; maintenance and repair of folding room motor truck, \$500; in all not to exceed \$231,750.

Doorkeeper, special employee, etc.

Messengers, etc.

Folding room.

Pages.

Document room.

SPECIAL AND MINORITY EMPLOYEES

Special and minority

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931: Two at \$5,000 each, four at \$2,820 each; in all, not to exceed \$19,152.

Minority employees.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, \$1,980; laborer, authorized and named in the resolution of April 28, 1914, \$1,380; laborer, authorized and named in the resolution of December 19, 1901, \$1,380; clerk, under the direction of the Clerk of the House, named in the resolution of February 13, 1923, \$3,060; in all, not to exceed \$7,020.

Special employees.

resolution of February 13, 1923, \$3,060; in all, not to exceed \$7,020. Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

Appointment of successors.

Office of majority floor leader: Legislative clerk, \$3,960; clerk, \$3,180; assistant clerk, \$2,100; for official expenses of the majority

Majority floor leader.

leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, \$2,000; in all, not to exceed \$10,316.

Conference minority.

Conference minority: Clerk, \$3,180; legislative clerk, \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all, not to exceed \$8,910. The foregoing employees to be appointed by the minority leader.

Caucus rooms, messengers.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at \$1,740 each; in all, not to exceed \$3,132.

Post Office.

POST OFFICE

Postmaster, assist-

Salaries: Postmaster, \$5,000; assistant postmaster, \$2,880; registry and money-order clerk, \$2,100; forty-one messengers (including one to superintend transportation of mails) at \$1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed \$145 per month each, \$1,740; laborer, \$1,260; in all not to exceed, \$75,938.

Motor vehicle.

For the purchase, exchange, maintenance, and repair of motor vehicle for carrying the mails, \$2,500.

OFFICIAL REPORTERS OF DEBATES

Official reporters, etc.

Salaries: Seven official reporters of the proceedings and debates of the House at \$7,500 each; clerk, \$3,360; six expert transcribers at \$1,740 each; janitor, \$1,440; in all not to exceed \$60,966.

COMMITTEE STENOGRAPHERS

Stenographers to committees.

Salaries: Four stenographers to committees, at \$7,000 each; janitor, \$1,440; in all, not to exceed, \$26,496.

"During the session" to mean 181 days.

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-one days from January 1 to June 30, 1935, both inclusive.

Members, etc.

CLERK HIRE, MEMBERS AND DELEGATES

Clerk hire, etc.

Vol. 46, p. 32. U.S.C., Supp. VII, p. 38.

For clerk hire necessarily employed by each Member, Delegate, and Resident Commissioner, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, \$1,980,000.

Contingent expenses.

CONTINGENT EXPENSES OF THE HOUSE

Furniture, etc.

For furniture and materials for repairs of the same, including not to exceed \$27,500 for labor, tools, and machinery for furniture repair shops, \$41,500.

Packing boxes.

For packing boxes, \$3,500.

Miscellaneous items.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including reimbursement to the official stenographers to committees for the amounts actually paid out by them for transcribing hearings, and including materials for folding, \$43,000: Provided, That no part of any appropriation contained in this Act, except the appropriation made herein for the Senate kitchens and restaurants for the fiscal year 1934, and except the appropriations available for heated and lighted space and janitor service for restaurants and kitchens, shall be used for the operation of any restaurant.

Restaurant operation, restriction.

Committee reports of hearings.

For stenographic reports of hearings of committees other than special and select committees, \$25,000.

For expenses of special and select committees authorized by the committees. House, \$49,500.

For payment of one half of the salaries and other expenses of Internal Revenue Translation, half expenses the Joint Committee on Internal Revenue Translation as authorized

by law, \$25,500.

No part of the appropriations contained herein for the contingent stricted. Expenditures reexpenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office Funeral expenses limand except the widow and/or minor children of the deceased, to attend the funeral rites and/or burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico or the Philippine Islands.

For telegraph and telephone service, exclusive of personal services, phone service.

\$90,000.

Stationery.

For stationery for Representatives, Delegates, and Resident Commissioners, for the first session of the Seventy-fourth Congress, and for stationery for the use of the committees and officers of the House (not to exceed \$5,000), \$60,000.

Emergency room.

For medical supplies, equipment, and contingent expenses for the emergency room and for the attending physician and his assistants, including an allowance of not to exceed \$30 per month each to three assistants as provided by the House resolutions adopted July 1, 1930, and January 20, 1932, \$2,500.

That the present incumbent as attending physician be advanced ing physician. one grade as an extra number, provided that this shall not be considered as affecting the opportunity for advancement of any other person.

Postage stamps.

Postage stamps: Postmaster, \$250; Clerk, \$450; Sergeant at Arms, \$300; Doorkeeper, \$150; in all \$1,150.

Folding.

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$20,000.

For preparation and editing of the laws as authorized by the Act preparation, etc. approved May 29, 1928 (U.S.C., Supp. VI, title 1, sec. 59), \$6,500, Vol. 45, p. 1008; to be expended under the direction of the Committee on Revision of p. 4.

For assistants in compiling lists of reports to be made to Congress Clerk of House. v public officials; compiling copy and revising proofs for the House Specified objects, etc. by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House Rule III; for recording and filing statements of political committees and litical statements. candidates for election to the House of Representatives pursuant to Vol. 43, p. 1071. the Federal Corrupt Practices Act, 1925 (U.S.C., title 2, secs. 241-256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, \$5,000: Provided, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Proviso. Use restricted,

For driving, maintenance, repair, and operation of an automobile Speaker, care, etc. for the Speaker, \$4,000.

Capitol Police.

CAPITOL POLICE

Pav.

Salaries: Captain, \$2,460; three lieutenants, at \$1,740 each; two special officers, at \$1,740 each; three sergeants, \$1,680 each; fifty-two privates, at \$1,620 each; one half of said privates to be selected by the Sergeant at Arms of the Senate and one half by the Sergeant at Arms of the House; in all not to exceed \$90,396.

Uniforms, etc.

For purchasing and supplying uniforms, for maintenance and repair of motor-propelled passenger-carrying vehicles, and for contingent expenses, \$9,710, of which \$500 shall be immediately available for the exchange of one such vehicle.

Division of disburse-

One half of the foregoing amounts under "Capitol police" shall be disbursed by the Secretary of the Senate and one half by the Clerk of the House.

Joint Committee on

JOINT COMMITTEE ON PRINTING

Clerk, assistant, etc. Vol. 28, p. 603. U.S.C., p. 1418.

Salaries: Clerk, \$4,000 and \$800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (U.S.C., title 44, sec. 49), \$2,820; assistant clerk and stenographer, \$2,400; for expenses of compiling, preparing, and indexing the Congressional Directory, \$1,600; in all not to exceed \$10,618, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Congressional Directory.

Office of Legislative Counsel.

OFFICE OF LEGISLATIVE COUNSEL

Salaries, etc.

For salaries and expenses of maintenance of the office of Legislative Counsel, as authorized by law, \$70,000, of which \$35,000 shall be disbursed by the Secretary of the Senate and \$35,000 by the Clerk of the House of Representatives.

Statement of Appropriations.

STATEMENT OF APPROPRIATIONS

Preparing, second session of Seventy-third Congress.

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the second session of the Seventy-third Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, \$4,000, to be paid to the persons designated by the chairman of such committees to do the work.

Architect of the Capitol.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

Architect, assistant, and office personnel.

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; \$43,650.

Capitol Buildings and grounds.

CAPITOL BUILDINGS AND GROUNDS

Maintenance, repair, etc.

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; personal and other services; cleaning and repairing works of art; purchase or exchange (not to exceed \$1,000), mainte-

nance, and driving of motor-propelled passenger-carrying office vehicle; pay of superintendent of meters, and \$300 additional for the maintenance of an automobile for his use, who shall inspect all gas and electric meters of the Government in the District of Columbia without additional compensation; and not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; \$412,000, of which sum \$181,000 shall be immediately available.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to

exceed in the aggregate under all funds the sum of \$1,750.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol power plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 (U.S.C., title 41, sec. 5) and 3744 R.S., secs. 3709, 3744; (U.S.C., title 41, sec. 16) of the Revised Statutes; \$96,358.

Capitol garages: For maintenance, repairs, alterations, personal Capitol garages and all personal residents. and other services, and all necessary incidental expenses, \$7,430.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway cars connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the track and electrical equipment connected therewith, \$1,950.

ith, \$1,950.
Senate Office Building: For maintenance, miscellaneous items and Senate Office Building: furnishings and equipment and for Maintenance, etc. supplies, including furniture, furnishings, and equipment and for labor and material incident thereto and repairs thereof; and for personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, acting through the Architect of the Capitol, Special improvements. who shall be its executive agent, including replacing roof, to be immediately available, \$60,400; for additional painting, including exterior window frames, to be immediately available, \$12,000; for completing pointing the exterior stonework, to be immediately available, \$10,000; for electrical equipment for old heating room, \$500: for repairs to electrical circuit in subway, \$200; in all, \$300.780.

House Office Buildings: For maintenance, including miscellaneous items, and for all necessary services, \$289,547, of which sum \$2,955 mess. Maintenance, etc.

shall be immediately available.

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, Capitol garages, folding and storage rooms of the Senate, Government Printing Office, and Washington City post office; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the heating, lighting, and power plant, \$443,642.

The appropriations under the control of the Architect of the Purchases independent Capitol may be expended without reference to section 4 of the Act tee.

approved June 17, 1910 (U.S.C., title 41, sec. 7), concerning pur
Vol. 36, p. 531.
U.S.C., p. 1309.

chases for executive departments.

office shall reimburse the Capitol power plant for heat, light, and buildings power furnished during the fiscal year 1935 and the amounts so reimbursed shall be covered into the Treasury.

Travel allowance.

Improving grounds.

Capitol garage.

Senate Office Build-

House Office Build-

Capitol power plant. Maintenance, etc.

Library Building and

LIBRARY BUILDING AND GROUNDS

Operating force.

Salaries: For chief engineer and all personal services at rates of pay provided by law, \$42,048.

Trees, etc.

For trees, shrubs, plants, fertilizers, and skilled labor for the grounds of Library of Congress, \$1,000.

Maintenance, repair,

For necessary expenditures for the Library Building under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such building,

Furniture, etc.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, \$13,965.

Botanic Garden.

BOTANIC GARDEN

Director and personnel.

Proviso.

Quarters,

d Direct etc..

wed Director. Vol. 45, p. 193.

Maintenance, re-

Salaries: For the director and other personal services, \$82,870, all under the direction of the Joint Committee on the Library: Provided, That the quarters, heat, light, fuel, and telephone service heretofore furnished for the director's use in the Botanic garden shall not be regarded as a part of his salary or compensation, and such allowances may continue to be so furnished without deduction from his salary or compensation notwithstanding the provisions of section U.S.C., Supp. VII, 3 of the Act of March 5, 1928 (U.S.C., Supp. VI, title 5, sec. 75a), or any other law.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed \$25 for emergency medical supplies; disposition of waste; traveling expenses of the director and his assistants not to exceed \$600; streetcar fares not exceeding \$25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, and operation, of motor trucks and passenger motor vehicle; purchase of books, periodicals, and books of reference, not to exceed \$100; repairs and improvements to director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library; \$28,725.

Minor purchases without advertising.

Distribution shrubbery, etc.

The sum of \$100 may be expended at any one time by the Botanic R.S., sec. 3709, p. 733; stock, without reference to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5).

No part of the appropriations contained herein for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Library of Congress.

LIBRARY OF CONGRESS

SALARIES

Librarian and per-

For the Librarian, Chief Assistant Librarian, and other personal services, \$774,341, of which amount \$1,670, or so much thereof as may be necessary, shall be immediately available for the salaries of additional assistants in the rare-book room.

For the Register of Copyrights, assistant register, and other Register of Copyrights, etc. personal services, \$224,442.

LEGISLATIVE REFERENCE SERVICE

Legislative Reference Service.

Personnel.

To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, including not to exceed \$5,700 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, \$66,662.

DISTRIBUTION OF CARD INDEXES

Card Indexes.

Distribution, etc.

For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$52,650, for employees engaged in piecework and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$162,260.

TEMPORARY SERVICES

For special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian, \$2,700.

Temporary services.

State legislation.

INDEX TO STATE LEGISLATION

To enable the Librarian of Congress to prepare an index to the digest of. legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial usindex to State legislation", approved February 10, 1927 (U.S.C., p. 10. Supp. VI, title 2, secs. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary service at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$36,420, of which \$6,700 shall be immediately available for printing and binding.

Vol. 44, p. 1066. U.S.C., Supp. VII,

SUNDAY OPENING

Sunday, etc., open-

To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, \$16,200.

Expenses.

UNION CATALOGUES

Union Catalogues.

To continue the development and maintenance of the Union Cata- tenance, etc. logues, including personal services within and without the District of Columbia (and not to exceed \$1,400 for special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, \$18,100.

Development, main-

Increase of the Li-

INCREASE OF THE LIBRARY

Purchase of books. etc

For purchase of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, to continue available during the fiscal year 1936, \$100,000.

Law books, etc.

For the purchase of books and for periodicals for the law library, including payment for legal society publications and for freight, commissions, and all other expenses incidental to the acquisition of law books, \$50,000.

Reference books for Supreme Court.

For the purchase of new books of reference for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, \$2,500.

Books for adult blind.

To enable the Librarian of Congress to carry out the provisions of Vol. 46, p. 1487. U.S.C., Supp. VII, the Act entitled "An Act to provided books for the adult blind," approved March 3, 1931 (U.S.C., Supp. VI, title 2, sec. 135a), \$99,620.

PRINTING AND BINDING

Printing and binding.

For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Building, \$200,000.

Catalogue of Title Entries

For the publication of the Catalogue of Title Entries of the Copyright Office, \$45,000.

Catalogue cards.

For the printing of catalogue cards, \$120,000.

CONTINGENT EXPENSES OF THE LIBRARY

Contingent expenses.

For miscellaneous and contingent expenses, stationery, office supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding \$500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$9,000.

Attendance at meet-

Photoduplicating ex-

For paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, \$5,000.

Library building.

LIBRARY BUILDING

Salaries.

penses.

Salaries: For the superintendent, disbursing officer, and other personal services, in accordance with the Classification Act of 1923, as amended, \$145,640.

Sunday, etc., open-

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Building on Sundays and on legal holidays, at rates to be fixed by the Librarian, \$3,600.

Temporary, etc..

For special and temporary services in connection with the custody, care, and maintenance of the Library Building, including extra special services of regular employees at the discretion of the Librarian, at rates to be fixed by the Librarian, \$450.

¹ So in original.

For mail, delivery, and telephone services, rubber boots, rubber coats, and other special clothing for workmen, uniforms for guards, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Building, \$8,900.

For any expense of the Library of Congress Trust Fund Board Trust Fund Board, expenses. not properly chargeable to the income of any trust fund held by the board, \$500.

Incidentals, etc.

GOVERNMENT PRINTING OFFICE

To provide the Public Printer with a working capital for the Printing and bindfollowing purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer, Dep-Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply tete. with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting annual leave to employees with pay; rents, fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph, and telephone service, furniture, typewriters, and carpets; traveling expenses; stationery, postage, and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding \$500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots, coats, and gloves; machinery (not exceeding \$300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding \$1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Indexes, Congressional Record. Congressional Record under the direction of the Joint Committee on Printing (chief indexer at \$3,480, one cataloguer at \$3,180, two cataloguers at \$2,460 each, and one cataloguer at \$2,100); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, \$2,500,000, to which shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations, the printing and binding for use of the Government Printing Office, and printing and binding (not exceeding \$2,000) for official use of the Architect of the Capitol when authorized by the Secretary of the Senate; in all to an amount

Government Printing Office.

Leaves of absence,

Machinery, etc.

Inspection, etc., expenses.

Provises.
Working capital, printing and binding. Vol. 47, p. 397.

Use authorized.

Ante, p. 98.

Congressional work.

Payment for work dered by departordered b

Proviso. Adjustments of ac-

Sums paid for work credited to working capital.

Estimates for departments, etc., to be in-corporated in a single item.

Proviso. Engraving and Printing Bureau excepted.

Restriction on paying detailed employees.

not exceeding this sum: Provided, That \$500,000 of the unexpended balance of the appropriation for public printing and binding, Government Printing Office, fiscal year 1933, shall be credited to the appropriation for public printing and binding, Government Print-Immediately avail ing Office, fiscal year 1934, and be immediately available for the purposes of the working capital for the fiscal year 1934 and be subjected to obligation for printing and binding for Congress and to enable the Public Printer to comply with the provision of law granting annual leave of absence to employees, with pay, in fiscal year 1934, in addition to the sum authorized by Public Law Numbered 26, approved May 29, 1933.

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

During the fiscal year 1935 any executive department or independent establishment of the Government ordering printing and binding from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: Provided, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office, for the year in which the work is done, and be subject to requisition by the Public Printer.

All amounts in the Budget for the fiscal year 1936 for printing and binding for any department or establishment, so far as the Bureau of the Budget may deem practicable, shall be incorporated in a single item for printing and binding for such department or establishment and be eliminated as a part of any estimate for any other purpose. And if any amounts for printing and binding are included as a part of any estimates for any other purposes, such amounts shall be set forth in detail in a note immediately following the general estimate for printing and binding: Provided, That the foregoing requirements shall not apply to work to be executed at the Bureau of Engraving and Printing.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in any other executive branch of the public service of the United States unless such detail be authorized by law.

Office of Superintendent of Documents.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Superintendent and personnel.
Vol. 46, p. 1003.
U.S.C., Supp. VII,

For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees paid by the hour who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (U.S.C., title 44, sec. 40), \$481,612: Provided, That for the purpose of conforming to section 3 of this Act this appropriation shall be con-

sidered a separate appropriation unit.

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelops, postage, car fares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone and telegraph service; traveling expenses (not to exceed \$200); repairs to buildings, elevators, and machinery; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, and bibliographies, \$85,000; for catalogues and indexes, not exceeding \$30,000; for supplying books to depository libraries, \$85,000; in all, \$200,000: *Provided*, That no part of this sum shall be used to supply 5200,000: Provided, That no part of this sum shall be used to supply Supplying depository to depository libraries any documents, books, or other printed matter libraries restricted. not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

In order to keep the expenditures for printing and binding for Printing reports of departments. the fiscal year 1935 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public

inspection.

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing tee.

Act approved January 12, 1895, and without reference to section 4 36, p. 531.

Output

Ou cerning purchases for executive departments.

Sec. 2. No part of the funds herein appropriated shall be used striction.

for the maintenance or care of private vehicles.

Sec. 3. In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in to be exceeded. the District of Columbia in accordance with the Classification Act U.S.C., Supp. VII, of 1923, as amended, the average of the salaries of the total number p. 34. of persons under any grade in the Botanic Garden, the Library of Congress, or the Government Printing Office, shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, clerical-mechanical service, tion was fixed as of July 1, 1924, in accordance with the rules of U.S.C., p. 66. (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, tion. or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the Higher salary rates grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which in a grade. If only one position only one position is allocated.

Sec. 4. For the purpose of carrying out the provisions of Public Commission. The Numbered 125, entitled "An Act to provide for the appointment Salaries and ex-Act Numbered 125, entitled "An Act to provide for the appointment of a commission to establish the boundary line between the District penses.

Ante, p. 454. of Columbia and the Commonwealth of Virginia", approved March

Vol. 43, p. 658. U.S.C., p. 1417. Proviso. Item a separate unit.

Contingent expenses.

roviso Originals to be kept.

21, 1934, including salaries, travel and subsistence expenses as author-

ized by law, to be immediately available, \$10,000.

Foreign Service officers, etc.
Losses due to appreciation of foreign cur-rencies.

Ante, p. 466. Post, p. 1060.

Citation of Act.

SEC. 5. For the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and for each and every object and purpose specified therein, to be immediately available, \$7,438,000.

SEC. 6. This Act may be cited as the "Legislative Branch Appro-

priation Act, 1935."

Approved, May 30, 1934.

[CHAPTER 373.]

AN ACT

June 4, 1934. [S. 195.] Public, No. 269.1

Respecting contracts of industrial life insurance in the District of Columbia;

District of Columbia. Contracts of indus-trial life insurance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That policies of industrial weekly payment life insurance hereafter issued or delivered in the District of Columbia shall be subject to the following conditions, in addition to any others prescribed by law and not inconsistent with the provisions of this Act.

GOOD FAITH

Good faith of insured in determining validity of policy.

Sec. 2. If payment of such a policy shall be refused because of unsound health at or prior to the date of the policy, the good faith of both applicant and insured shall constitute a material element in determining the validity of the policy; and it shall not be held invalid because of unsound health unless the insurer shall prove that, at or before the date of issue of the policy, the insured or applicant had knowledge of, or reason to know, the facts on which the defense is based, or shall prove that the insurance was procured by the insured or applicant in bad faith or with intent to defraud the com-Proof of fraud, etc.

Proof of fraud, intent to deceive, unsound health, bad faith, breach or a warranty or condition precedent, or other matter of defense, shall be D.C. Code, sec. 657. Subject to the provisions of section 657 of the Act entitled "An Act to establish a Code of Law for the District of Columbia" establish a Code of Law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code, title 5, sec. 183).

INCONTESTABILITY

Incontestability of

Sec. 3. Every such policy shall be incontestable upon any ground policy on grounds re-lating to health after relating to health after two years from its date of issue (notwith-two years. standing a longer period may be named therein), provided the When policy proinsured shall be alive at the end of said period. If the policy by its
vides shorter period. terms shall be incontestable after a shorter period than herein provided, the terms of the policy with regard to such period of limitation shall govern.

¹ So in original.

ASSIGNMENT

Sec. 4. Nothing contained in the terms of any such policy shall Assignment permitoperate to prevent its valid assignment by the insured; but the company issuing the policy so assigned shall be discharged of all pany. liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice of such assignment.

Notice to issuing com-

BENEFICIARY

Sec. 5. Any individual designated with the consent of the insurer, proceeds.

Beneficiary; right to evidenced by the signature of its president or secretary, or designated with the consent of the insurer, proceeds. nated upon a form furnished by and filed with the insurer, as beneficiary of such a policy shall be entitled to the proceeds of such policy after the death of the insured in priority to all other claimants, and may sue in his own name for such proceeds if payment is refused by the insurer: Provided, That upon the expiration of fifteen days after the death of the insured, unless proof of claim in the manner and form required by the Policy, accompanied by the policy for surrender, has theretofore been made by or on behalf of such designated beneficiary, the insurer may pay to any other claimant permitted by the policy. A person specified as one to whom the insured desires payment made, but not formally designated as beneficiary, shall be nated."

Beneficiary "specified" but not "designated as beneficiary, shall be nated." deemed a beneficiary for the purposes of this section, provided such designation be made in writing and filed with the company during the lifetime of the insured.

Proviso. Payment of claim.

Approved, June 4, 1934.

[CHAPTER 374.]

AN ACT

To amend an Act entitled "An Act to incorporate the Mount Olivet Cemetery Company in the District of Columbia.

June 4, 1934. [S. 1757.] [Public, No. 270.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act District of Columbia. Mount Olivet Cemeentitled "An Act to incorporate the Mount Olivet Cemetery Company tery Company. in the District of Columbia" approved on the 10th day of June Vol. 12, p. 426, in the District of Columbia", approved on the 10th day of June amended. 1862 (12 Stat.L. 426) be, and the same hereby is, amended by adding at the end of section 2 of the said Act of the 10th day of June 1862 the following:

"The said corporation may use for burial purposes the tracts of tract', designated for purposes of assessment and taxation as parcel 153/23, fronting on Bladensburg Road and the 'Merten's tract', designated for purposes of assessment and taxation as parcel 153/42, fronting on West Virginia Avenue, the said two tracts having an aggregate area of approximately twelve and twenty-five one-hundredths acres, and all of the provisions of the aforesaid Act of the 10th day of June 1862 shall apply to both of the said tracts with like effect as if the provisions of this Act had been included therein at the time of its enactment: Provided, That no part of parcel 153/23 lying within one hundred and twenty feet of Bladensburg Road shall be used for burial purposes; the strip of land hereby exempted from use for burial purposes being the easterly one hundred and twenty feet by full width of said parcel 153/23 fronting on Bladensburg Road."

Proviso.
Area excluded.

Approved, June 4, 1934.

[CHAPTER 375.]

AN ACT

June 4, 1934. [S. 2508.] [Public, No. 271.]

Authorizing the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission and the Attorney General of the United States, to make equitable adjustments of conflicting claims between the United States and other claimants of lands along the shores of the Potomac River, Anacostia River, and Rock Creek in the District of Columbia.

Vol. 37, p. 93.

Be it enacted by the Senate and House of Representatives of the District of Columbia.
Equitable adjustment of conflicting land claims along the shores of the Potomac and Anacostia Rivers, etc. authorized.

Be it enacted by the Senate and House of Representatives of the Potomac and Lord States of America in Congress assembled, That for the purment of the Potomac and making clear the title of the United States in and to any part or parcel of land or water in, under, and adjacent to the Potomac River, the Anacostia River, or Eastern Branch, and Rock Creek, including the shores and submerged or partly submerged land, as well as the banks of said waterways, and also the upland immediately adjacent thereto, including made land, flat lands and marsh lands, in which persons and corporations and others may have or pretend to have any right, title, claim, or interest adverse to the complete title of the United States as set forth in an Act entitled "An Act providing for the protection of the interest of the United States in lands and water comprising any part of the Potomac River, the Anacostia River, Eastern Branch, and Rock Creek, and adjacent lands thereto", approved April 27, 1912 (37 Stat. 93), and in order to facilitate the same, by making equitable adjustments of such claims and controversies between the United States of America and such adverse claimants, the Secretary of the Interior is authorized to make and accept, on behalf of the United States, Conveyances by way of compromise. by way of compromise when deemed to be in the public interest such conveyances, including deeds of quit-claim and restrictive and collateral covenants, of the lands in dispute as shall be also approved by the National Capital Park and Planning Commission and the Attorney General of the United States.

Approval required.

Approved, June 4, 1934.

[CHAPTER 376.]

AN ACT

June 4, 1934. [S. 2580.] [Public, No. 272.]

To exempt from taxation certain property of the National Society United States
Daughters of 1812 in the District of Columbia.

Certain real property of, exempt from taxavol. 19, p. 399.

District of Columbia. National Society United States of America in Congress assembled, That the property United States Daugh situated in square numbered 210 in the city of Washington of Columbia States Daugh situated in square numbered 210 in the city of Washington of Columbia Square numbered 210 in the city of Columbia Square numbered 210 in the city of Columbia Square numbered 210 in the city of Columbia Square numbe of Columbia, described as lot 811, occupied and used by the National Society United States Daughters of 1812, is hereby exempt from all taxation so long as the same is so occupied and used, subject to the provisions of section 8 of the Act of March 3, 1877, as amended and supplemented (D.C. Code, title 20, sec. 712), providing for exemptions of church and school property.

Approved, June 4, 1934.

[CHAPTER 377.]

AN ACT

June 4, 1934. [S. 3257.] [Public, No. 273.]

To change the designation of Four-and-a-half Street southwest to Fourth Street.

District of Columbia. Designation of Four-and-a-half Street south-west changed to Fourth

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the street designated as "Four-and-a-half Street" running south from the center of the Mall to P Street south be, and the same is hereby, changed to Fourth Street, thereby giving this street for its entire length from Pennsylvania Avenue northwest to P Street south the designation of Fourth Street.

Approved, June 4, 1934.

[CHAPTER 378.]

AN ACT

To dissolve the Ellen Wilson Memorial Homes.

[Public, No. 274.]

Be it enacted by the Senate and House of Representatives of the corporate and politic created under the Act entitled "An Act to incorporate the Ellen Wilson Memorial Homes", approved March 3, 1915, be, and the same is hereby, granted the right to dissolve. under the supervision of the Supreme Court of the District of Columbia and to have its assets distributed among the persons deter-sets.

Vol 31, p. 1316. mined by said court to be entitled thereto, all in the manner prescribed by subchapter 14 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended; and jurisdiction over said corporation for the purposes aforesaid is hereby conferred upon said court as fully and effectually as though said corporation had been created pursuant to the general incorporation provisions contained in the last-mentioned Act, as amended.

Vol. 38, p. 954. Distribution of as-

Jurisdiction of court.

SEC. 2. That Congress reserves the right to repeal, alter, or

amend this Act.

Approved, June 4, 1934.

Rights reserved.

{CHAPTER 379.}

AN ACT

To authorize the construction and operation of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny,

[Public, No. 275.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to in Allegheny County, facilitate interstate commerce, improve the postal service, and propagation. vide for military and other purposes, Allegheny County Authority and the County of Allegheny, Pennsylvania, or either of them, their successors and assigns, or the successors or assigns of either of them, be, and are hereby, authorized to construct, maintain, and operate bridges and approaches thereto at any or all of the following points

within the county of Allegheny, Pennsylvania:

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from Pittsburgh to Homestead, Pennsylstead.

vania, near to, and to replace, existing Brown's Bridge.

(b) Across the Allegheny River, at a point suitable to the interests of navigation, from Pittsburgh to O'Hara Township, Pennsylvania, Township. near Dam Numbered 2, to replace the existing Highland Park

Bridge. (c) Across the Monongahela River, at a point suitable to the interests of navigation, in the city of Pittsburgh, Pennsylvania, between the Wabash and Point Bridges.

(d) Across the Monongahela River, at a point suitable to the interests of navigation, from the Glenwood to the Hays sections of the city of Pittsburgh, Pennsylvania, to replace existing Glenwood

(e) Across the Monongahela River, at a point suitable to the Cravosburg to McKeesport, Pennsyl-

vania, to replace existing Dravosburg Bridge.

(f) Across the Youghiogheny River, at a point suitable to the Youghiogheny River, interests of navigation, in the city of McKeesport, to replace existing Fifth Avenue Bridge.

Monongahela River. Pittsburgh,

Monongahela River. Boroughs of Rankin and Whittaker.

Construction. Vol. 34, p. 84.

Tolls to be adjusted to provide for opera-tion and amortization

Record of expendi-tures and receipts.

Right to sell, etc., conferred.

Amendment.

(g) Across the Monongahela River, at a point suitable to the interests of navigation, from the Borough of Rankin to the Borough of Whittaker, Pennsylvania, to replace existing Rankin Bridge, all in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters" approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Sec. 2. If tolls are charged for the use of said bridges or any of them, or the approaches to them or any of them, the rates of toll may be so adjusted as to provide a fund sufficient to pay such part or all of any one or more of the following items as shall not be from time to time otherwise provided for, namely: (a) The reasonable cost of maintenance, repair, and operation of said bridges and approaches; and (b) the amortization, within a reasonable time and under reasonable conditions, of any loan or loans, including reasonable interest, taxes, and financing charges, made or to be made in connection with the construction of any of said bridges and

approaches. SEC. 3. An accurate record of the cost of the bridges and their approaches and of all expenditures for maintaining, repairing, and operating the same and of tolls collected from time to time shall be kept and shall at all reasonable times be available for the information of all persons interested in the construction, operation, and maintenance thereof.

Sec. 4. The right to sell, assign, transfer, mortgage, or pledge any or all the rights, powers, and privileges conferred by this Act is hereby granted to the said Allegheny County Authority and the County of Allegheny, Pennsylvania, or either of them, their successors or assigns, or the successors or assigns of either of them; and if such rights, powers, and privileges shall be sold, assigned, or Hacquired by United transferred to, or shall be acquired through mortgage, pledge, foreclosure, or otherwise by the United States of America acting by or through the President, the Federal Emergency Administrator of Public Works or such other agency or agencies as may be designated or created for such purpose pursuant to the National Industrial Recovery Act or any amendment or supplement thereto, or otherwise, or by any person, corporation, or political subdivision, the United States of America or such person, corporation, or political subdivision is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon the United States of America, such person, corporation, or political subdivision.

Sec. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1934.

[CHAPTER 380.]

AN ACT

June 4, 1934. [H.R. 8714.] [Public, No. 276.]

To extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, South Carolina.

Be it enacted by the Senate and House of Representatives of the Pee Dee and Wacca- United States of America in Congress assembled, That the times for maw Rivers.

Time extended for commencing and completing the construction of a bridge across the bridging, at George Pee Dee River and a bridge across the Waccamaw River, both at or ree Dee River and a Bridge across the Waccanaw River, both at or near Georgetown, South Carolina, authorized to be built by the county of Georgetown, South Carolina, by an Act of Congress approved May 29, 1930, heretofore extended by Acts of Congress approved February 14, 1933, and May 12, 1933, are hereby further extended one and three years, respectively, from May 30, 1934.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 4, 1934.

ICHAPTER 381.1

AN ACT

Granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River, at or near Delphi, Indiana.

June 4, 1934. [H.R. 8937.] [Public, No. 277.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Indiana to construct, at Delphi. Wabash River. Indiana may bridge, at Delphi. maintain, and operate a free highway bridge and approaches thereto, across the Wabash River, at a point suitable to the interests of navigation, at or near Delphi, Carroll County, Indiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23,

Construction.

Vol. 34, p. 84. Amendment.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1934.

[CHAPTER 382.]

AN ACT

Authorizing the city of Shawneetown, Illinois, to construct, maintain, and operate a toll bridge across the Ohio River at or near a point between Washington Avenue and Monroe Street in said city of Shawneetown and a point opposite thereto in the county of Union and State of Kentucky.

June 4, 1934. [H.R. 8951.] [Public, No. 278]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to Ohio River. Shawneetown, III., promote interstate commerce, improve the postal service, and promay bridge. vide for military and other purposes, the city of Shawneetown, Illinois, be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near a point between Washington Avenue and Monroe Street in the city of Shawneetown, Illinois, and a point opposite thereto in the county of Union and State of Kentucky, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Location.

Construction. Vol. 34, p. 84

Acquisition of approaches.

Sec. 2. There is hereby conferred upon the city of Shawneetown, Illinois, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid, according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation

Toll rates.

or expropriation of property for public purposes in such State.

Sec. 3. The said city of Shawneetown, Illinois, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Rates applied to operation, sinking fund,

Sec. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches, under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the informa-

Maintenance, as free bridge, after amortizing costs.

Record of expenditures and receipts.

Amendment.

tion of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 4, 1934.

[CHAPTER 383.]

AN ACT

June 4, 1934. [H.R. 9000.] [Public, No. 279.]

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Holtwood, Lancaster County.

Susquehanna River. Pennsylvania may bridge, at Holtwood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near Holtwood, Lancaster County, Pennsylvania, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

Use of tolls to provide for operation and sinking fund.

Maintenance as free bridge after amortizing costs.

Record of expenditures and receipts.

Amendment.

SEC. 2. If tolls are charged for the use of such bridge, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

ares and recorpts.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1934.

[CHAPTER 384.]

AN ACT

Granting the consent of Congress to the Department of Public Works of the Commonwealth of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at Turners Falls, Massachusetts.

June 4, 1934. [H.R. 9065.] [Public, No. 280.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Department of Public Works, t Commonwealth of Massachusetts, to construct, maintain, and operate Falls. a free highway bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at Montague (Turners Falls) and Gill (Riverside), Massachusetts, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Connecticut River. Massachusetts may oridge, at Turners

Construction. Vol. 34, p. 84.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 4, 1934.

[CHAPTER 385.]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Bainbridge, Lancaster County, and Manchester, York County.

June 4, 1934 [H.R. 9257.] [Public, No. 281.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania may bridge, Bainbridge to vania, acting through its Department of Highways, to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River at a point suitable to the interests of navigation at or near Bainbridge, Lancaster County, and Manchester, York County, and between the counties of York and Lancaster, in the Commonwealth of Pennsylvania, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Susquehanna River.

Construction. Vol. 34, p. 84.

Amendment.

SEC. 2. If tolls are charged for the use of such bridge, the rates for operation and sink-of toll shall be so adjusted as to provide a fund sufficient to pay the ing fund. reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking bridge, after amortization shall have been so provided, ing costs.

Maintenance as free bridge, after amortization shall have been so provided, ing costs. tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of tures and receipts. the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1934.

[CHAPTER 386.]

AN ACT

June 4, 1934. [H.R. 9271.] Public, No. 282.1

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Millersburg, Dauphin County, Pennsylvania.

Susquehanna River. Pennsylvania may bridge, at Millersburg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania, acting through its Department of Highways, to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near Millersburg, Dauphin County, and between the counties of Dauphin and Perry, in the Commonwealth of Pennsylvania, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. Vol. 34, p. 84.

Use of tolls to provide for operation and sinking fund.

Maintenance as free bridge, after amortizing costs.

Record of expenditures and receipts.

Amendment.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same and the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 4, 1934.

[CHAPTER 387.]

AN ACT

June 4, 1934. [H.R. 9502.] [Public, No. 283.]

Authorizing the State Highway Departments of the States of Minnesota and North Dakota to construct, maintain, and operate certain free highway bridges across the Red River from Moorhead, Minnesota, to Fargo, North Dakota.

Construction.

Acquisition of approaches, etc.

Be it enacted by the Senate and House of Representatives of the Minnesota and United States of America in Congress assembled, That in order to North Dakota may facilitate interstate commerce, improve the postal savvice vide for military and the senate and House of Representatives of the Congress assembled, That in order to bridge, Moorbead to vide for military and the senate and House of Representatives of the Congress assembled, That in order to bridge, Moorbead to vide for military and the senate and House of Representatives of the Congress assembled, That in order to bridge, Moorbead to vide for military and the congress assembled as the congress as the c ments of the States of Minnesota and North Dakota are hereby authorized to construct, maintain, and operate two free highway bridges and approaches thereto across the Red River, at points suitable to the interests of navigation, between Fargo, North Dakota, and

Moorhead, Minnesota, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. There is hereby conferred upon the State Highway Departments of the States of Minnesota and North Dakota all such rights and powers to enter upon lands and to acquire, condemn. occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridges and their approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 4, 1934.

Amendment.

[CHAPTER 388.]

AN ACT

To amend the Act entitled "An Act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes", approved March 19, 1906, as amended.

June 4, 1934. [S. 2623.] [Public, No. 284.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to require the erection of fire escapes in certain requiring erection of buildings in the District of Columbia, and for other purposes" fire escapes in. vol. 34, pp. 70, 1247.

approved March 19, 1906, as amended, is amended to read as follows:
"That it shall be the duty of the owner entitled to the beneficial "Inat it shall be the duty of the owner entitled to the beneficial Duty of owner of use, rental, or control of any building three or more stories in height, to provide fire escape. constructed or used or intended to be used as an apartment house, tenement house, flat, rooming house, lodging house, hotel, hospital, seminary, academy, school, college, institute, dormitory, asylum, sanitarium, hall, place of amusement, office building, or store, or of any building three or more stories in height, or over thirty feet in height, other than a private dwelling, in which sleeping quarters for the accommodation of ten or more persons are provided above the first floor, to provide and cause to be erected and fixed to every such building one or more suitable fire escapes, connecting with each floor above the first floor by easily accessible and unobstructed openings, in such location and numbers and of such material, type, and construction as the Commissioners of the District of Columbia not more than three families reside, including the owner or lessee, or rooming houses in which sleeping accommodations are a single-single on single on single-single on single on single on sing stories, nor more than forty feet in height, and having a total floor area not more than three thousand square feet above the first floor, shall be exempted from the provisions of section 1 of this Act; and except that buildings used solely as apartment houses, not more quired. than three stories, nor more than forty feet in height, so arranged that not more than five apartments per floor open directly, without an intervening hall or corridor, on a fire-resistive stairway, three feet or more in width, enclosed with masonry walls in which fireresistive doors are provided at all openings, shall be exempted from

Other specifications.

the provisions of this section.

"Sec. 2. It shall be the duty of the owner entitled to the benebyten or more persons ficial use, rental, or control of any building already erected, or which above second story. may hereafter be erected, in which ten or more persons are employed at the same time in any of the stories above the second story, except having two steirways. three-story buildings used exclusively as stores or for office purposes, and having at least two stairways from the ground floor each three or more feet wide and separated from each other by a distance of

Night lights.

at least thirty feet, from one of which stairways shall be easy access to the roof, to provide and cause to be erected and affixed thereto a sufficient number of the aforesaid fire escapes, the location and number of the same to be determined by the Commissioners, and to keep the hallways and stairways in every such building as is used and occupied at night properly lighted, to the satisfaction of the Commissioners, from sunset to sunrise.

Guide signs, stand-pipes, fire extinguish-ers, etc.

"Sec. 3. It shall be the duty of the owner entitled to the beneficial use, rental, or control of any building used or intended to be used as set forth in section 1 of this Act where fire escapes are required, or any building in which 10 or more persons are employed, as set forth in section 2 of this Act where fire escapes are required, also to provide, install, and maintain therein proper and sufficient guide signs, guide lights, exit lights, hall and stairway lights, standpipes, fire extinguishers, and alarm gongs and striking stations in such locations and numbers and of such type and character as the Commissioners may determine; except that in buildings less than six stories in height, standpipes will not be required when fire extinguishers are installed in such numbers and of such type and character as the

Requirements modified for buildings of less than six stories.

Commissioners may determine.

Commissioners to adopt and enforce nec-essary regulations.

"Sec. 4. The Commissioners are hereby authorized and directed to issue such orders and to adopt and enforce such regulations not inconsistent with law as may be necessary to accomplish the pur-To require building poses and carry into effect the provisions of this Act, and to require alterations where necessary to install fire escapes, appliances, etc. now or hereafter erected, in order properly to locate or released. now or hereafter erected, in order properly to locate or relocate fire escapes, or to afford access to fire escapes, and to require any changes or alterations in any building that may be necessary in order to provide for the erection of additional fire escapes, or for the installation of other appliances required by this Act, when in the judgment of the Commissioners such additional fire escapes or appliances are

Fireproof enclosures for elevator shafts.

"Sec. 5. Each elevator shaft and stairway extending to the basement of the buildings heretofore mentioned shall terminate in a fireproof compartment or enclosure separating the elevator shaft and stairs from other parts of the basement, and no opening shall be made or maintained in such compartment or enclosure unless the same be provided with fireproof doors.

Certain fireproof buildings exempt.

"Such buildings as are used solely for office buildings above the second floor and defined under the building regulations of the District of Columbia to be fireproof are exempted from the requirements of this Act as to fire escapes, guide signs, and alarm gongs; but when the face of a wall of any such fireproof building is within thirty feet of a combustible building or structure, or when the side or sides, front or rear of such building or structure faces within thirty feet of a combustible building, or contains a light or air shaft or similar recess within thirty feet of a combustible building, then each and every window or opening in said wall or walls shall be protected from fire by automatic iron shutters or wire glass in fireproof sash and frames.

Automatic iron shut-

"Sec. 6. It shall be unlawful to obstruct any hall, passageway, corridor, or stairway in any building enumerated in this Act with baggage, trunks, furniture, cans, or with any other thing whatsoever.

Unobstructed halls or stairways.

Free access to fire escape; no obstacle upon.

"Sec. 7. No door or window leading to any fire escape shall be covered or obstructed by any fixed grating or barrier, and no person shall at any time place any incumbrance or obstacle upon any fire escape or upon any platform, ladder, or stairway leading to or from any fire escape.

"SEC. 8. Any person failing or neglecting to provide fire escapes, guide signs, guide lights, exit lights, hall and stairway lights, standpipes, fire extinguishers, alarm gongs and striking stations, or other appliances required by this Act after notice from the Commissioners so to do, shall, upon conviction thereof, be punished by a fine of not less than \$10 nor more than \$100, and shall be punished by a further fine of \$5 for each day that he fails to comply with such notice. Any person violating any other provision of this Act or regulations promulgated hereunder shall be punished, upon conviction thereof, by a fine of not less than \$10 nor more than \$100 for each offense.

"Sec. 9. The notice from the Commissioners requiring the erection of fire escapes and other appliances enumerated in this Act shall specify the character and number of fire escapes or other appliances to be provided, the location of the same, and the time within which said fire escapes or other appliances shall be provided, and in no case shall more than ninety days be allowed for compliance with said notice unless the Commissioners shall, in their discretion, deem it

necessary to extend their time.

"Sec. 10. Such notice shall be deemed to have been served if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified in the District of Columbia, or if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, provided such agent has any authority or duty with reference to the building to which said notice relates, or if no such office can be found in said District by reasonable search if forwarded by registered mail to the last-known address of the person to be notified and not returned by the post-office authorities, or if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be tive days in a daily newspaper published in the District of Columbia, delivered. or if by reason of an outstanding unreconded to a columbia of the delivered. or if by reason of an outstanding unrecorded transfer of title the name of the owner in fact cannot be ascertained beyond a reasonable doubt, if served on the owner of record in the manner herin-1 before in this section provided, or if delivered to the agent, trustee, executor, or other legal representative of the estate of such person. deemed to have been served on such corporation if served on the tion. president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right, and notice to a foreign corporation shall, for the purposes of this Act, be deemed to have been served if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the usual place of business of such agent in the District of Columbia: *Provided*, That in case of failure or refusal of the owner entitled to the beneficial use, rental, or control of any buildings specified in this Act, to comply with the requirements of the notice provided for in section 9, the Commissioners are hereby empowered and it is their duty to cause such erection of fire escapes and other appliances mentioned in the notice provided for, and they are hereby authorized to assess the costs thereof as a tax against the buildings on which they are erected and the ground on which the same stands, and to issue tax-lien certificates against such building and grounds for the amount of such assessments, bearing interest at the rate of 10 per

Violations.

Penalties.

Scope of notice.

By mail.

Proviso. Failure to comply.

¹ So in original.

centum per annum, which certificates may be turned over by the Commissioners to the contractor for doing the work.

Injunction to restrain use, etc., of building

Definitions.

"Sec. 11. The Supreme Court of the District of Columbia, in term time or in vacation, may, upon a petition of the District of Columbia, filed by its said Commissioners, issue an injunction to restrain the use or occupation of any building in the District of Columbia in violation of any of the provisions of this Act.

"Sec. 12. As used in this Act—

"(a) The terms 'apartment house', 'tenement house', and 'flat' mean a building in which rooms in suites are provided for occupancy by three or more families.

"(b) The term 'rooming house' means a building in which rooms are rented and sleeping quarters provided to accommodate ten or more persons, not including the family of the owner or lessee.

"(c) The term 'lodging house' means a building in which sleeping

quarters are provided to accommodate ten or more transients.

"(d) The term 'hotel' means a building in which meals are served and rooms are provided for the accommodation of ten or more transients.

"(e) The term 'elevator shaft' includes a dumbwaiter shaft.
"(f) The term 'fire escape' means an exterior open stairway or arrangement of ladders constructed entirely of incombustible materials and of approved design, or an interior or exterior stairway of fire-resistive construction with enclosing walls of masonry with fireresistive doors and windows.

"(g) The term 'standpipe' means a vertical iron or steel pipe provided with hose connections and valves, so arranged as to supply

water for fire-fighting purposes.

"(h) The terms 'fireproof' and 'fire-resistive' have the same meaning as is ascribed to the term 'fire-resistive' in the Building Code of the District of Columbia.

Saving provisions.

"Sec. 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed."

Approved, June 4, 1934.

[CHAPTER 389.]

AN ACT

June 4, 1934. [H.R. 9061.] [Public, No. 285.]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1935, and for other purposes.

District of Columbia. Appropriations for expenses of, fiscal year 1935, from District rev-enues and \$5,700,000 from the Treasury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1935, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition a sum equal to \$5,700,000 less a sum equal to 70 per centum of the amounts expended under the allotments from the Public Works Administration of \$1,759,500 for sewers and \$148,650 for park improvements is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1934. and all of the remainder out of the combined revenues of the District of Columbia, namely:

Less 70 percent of Public Works Administration allotments.

GENERAL EXPENSES

EXECUTIVE OFFICE

For personal services, \$42,714, plus so much as may be necessary Office personnel. Additional, for Engite compensate the Engineer Commissioner at such rate in grade 8 neer Commissioner. of the professional and scientific service of the Classification Act of of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal average rates under services in accordance with the the ¹ Classification Act of 1923, as amended, with the exception of the two civilian Commissioners the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not vii, p. 34. at any time exceed the average of the compensation rates specified for the grade by such Act, as amended: Provided, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clericalmechanical service; (2) to require the reduction in salary of any No reduction in fixed person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the document of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the document of any person who is document of the person who is document. reduction in salary of any person who is transferred from one Transfer to another position to another position in the same or different grade in the reduction. same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation in a grade. of any person in a grade in which only one position is allocated.

Purchasing division: For personal services, \$51,570.

Building inspection division: For personal services, \$100,719. Plumbing inspection division: For personal services, \$31,851; two members of plumbing board at \$135 each; in all, \$32,121.

PUBLIC CONVENIENCE STATIONS

For maintenance of public convenience stations, including compensation of necessary employees, \$12,847.

CARE OF THE DISTRICT BUILDING

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, \$84,672: Provided. That no other appropriation made in this Act shall be Provided, That no other appropriation made in this Act shall be available for the employment of additional assistant engineers or ditional assistant engineers or watchmen for the care of the District Building. watchmen for the care of the District Building.

For fuel, light, power, repairs, laundry, and miscellaneous supplies, \$28,000.

ASSESSOR'S OFFICE

For personal services, \$203,238.

COLLECTOR'S OFFICE

For personal services, \$41,220.

AUDITOR'S OFFICE

For personal services \$112,230; and the compensation of the present incumbent of the position of disbursing officer of the District officer permitted other of Columbia shall be exclusive of his compensation as United States duties For personal services \$112,230; and the compensation of the presof Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

General expenses.

Executive Office.

Higher rates per-mitted.

Purchasing division. Building inspection division.

Plumbing inspection division.

Public convenience stations.

Maintenance

Care of District Building.

Operating force.

Operating supplies.

Assessor's office.

Collector's office

Auditor's office.

¹ So in original.

Corporation counsel's office.

OFFICE OF CORPORATION COUNSEL

Extra pay, Public Utilities Commission.

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, \$89,568.

Alcoholic Beverage Control Board.

ALCOHOLIC BEVERAGE CONTROL BOARD

Salaries and expenses. Purchase of samples.

For personal services, advertising, printing and binding, street-car and bus transportation, telephone service, not exceeding \$500 for the purchase of samples, and other necessary contingent and miscellaneous expenses, \$37,492.

Coroner's office.

CORONER'S OFFICE

Services, including deputies. Vol. 46, p. 1003.

For personal services, including deputy coroners, in accordance with the Classification Act of 1923, as amended, \$9,162.

Morgue, etc., ex-

For the maintenance of a nonpassenger-carrying motor wagon for the morgue, jurors' fees, witness fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, \$3,750.

Office of Superintendent of Weights,

OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

Personal services.

For personal services, \$40,626.

Inspection, etc.

For purchase of commodities, including personal services, in connection with investigation and detection of sales of short weight

and measure, \$500.

Markets. Vehicles.

For maintenance and repairs to markets, \$5,500.

For maintenance and repair of nonpassenger-carrying motor vehi-

cles, \$1,750.

For the purchase and exchange of one nonpassenger-carrying

motor vehicle, \$530.

Farmers' Produce Market, improvements.

For the construction of shelters, paving, and for such other improvements as the Commissioners may deem necessary at the Farmers' Produce Market, \$22,500.

Engineer department. Chief Clerk's office.

OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT

For personal services, \$26,397.

Municipal Architect's office.

MUNICIPAL ARCHITECT'S OFFICE

Personal services.

Apportionments.

For personal services, \$42,228. All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding 23/4 per centum of a total of the appropriations in excess of \$2,000,000.

Public Utilities Commission.

PUBLIC UTILITIES COMMISSION

Commissioners, peo-'s counsel, etc. Experts.

For two commissioners, people's counsel, and for other personal services, \$50,000, of which amount not to exceed \$5,000 may be used for the employment of expert services by contract or otherwise and without reference to the Classification Act of 1923, as amended.

Incidental, etc., ex-

For incidental and all other general necessary expenses authorized by law, including the purchase of newspapers, \$1,500.

No part of the appropriations contained in this Act shall be used Issuance of orders refor or in connection with the preparation, issuance, publication, or cabs forbidden. enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs until such regulation or order shall have been approved by Congress: Provided, That this prohibition shall not be construed to affect any Provided, That this prohibition shall not be construed to affect any order or part of an order of such Public Utilities Commission other feeted. than with respect to the requirement of the installation of such meters.

Examiners, steam engineers.

BOARD OF EXAMINERS, STEAM ENGINEERS

Salaries: Three members, at \$135 each, \$405.

DEPARTMENT OF INSURANCE

Insurance depart-

For personal services, \$18,738.

SURVEYOR'S OFFICE

Surveyor's office.

For personal services, \$72,000.

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

Employees' compensation fund.

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to ries. Vol. 41, p. 104. the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, \$32,500.

Payments for inju-

Vol. 39, p. 742.

Administrative Expenses, Compensation to Injured Employees
Administrative expenses, the District of Columbia: For the enforcement of the Act entitled to injured employees.

"An Act to provide compensation for disability or death resulting to the District property of the from injury to employees in certain employments in the District p. 789. VII, of Columbia, and for other purposes ", approved May 17, 1928 (U.S.C., Supp. VI, title 33, sec. 901), \$51,000, for transfer to and expenditure by the Employees' Compensation Commission under Commission. its appropriations "Salaries and expenses", \$50,550, and "Printing and Liveline", \$450.

and binding", \$450.

For financing of the liability of the government of the District Contribution to, from of Columbia, created by the Act entitled "An Act for the retirement District revenues." Vol. 41, p. 619; Vol. 46, p. approved May 22, 1920, and Acts amendatory thereof (U.S.C., title "U.S.C., Supp. VII, 5, sec. 707a), \$150,000, which amount shall be placed to the credit p.51. of the "civil service retirement and disability fund."

DEPARTMENT OF VEHICLES AND TRAFFIC

Vehicles and traffic department.

For personal services, \$63,144.

Personal services.

For purchase, installation, and modification of electric traffic lights, signals and controls, markers, painting white lines, labor, maintenance of nonpassenger-carrying motor vehicles and such other expenses may be necessary in the judgment of the Commissioners, \$63,000, of which not less than \$25,000 shall be expended for the purchase, installation, and modification of electric trafficpriation contained in this Act shall be expended for building, install-street-car loading plating, and maintaining street-car loading platforms and lights of any description employed to district or any loading platforms. ing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

Expenses, etc.

For the purchase of motor vehicle identification number plates, Identification plates. \$20,000.

Public Library.

FREE PUBLIC LIBRARY

Personal services.

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian,

Miscellaneous.

Proviso. Advances for books purchased, etc.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, \$40,000: Provided, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding \$25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

Binding.

Contingent expenses.

For binding, including necessary personal services, \$19,051. For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, including not to exceed \$700 for purchase and exchange of one motor delivery vehicle, \$25,000.

Chevy Chase and Woodridge branches.

For rent of suitable quarters for branch libraries in Chevy Chase

and Woodridge, \$4,320.

Building for George-town branch.

For a building for a Georgetown branch library, including necessary furniture and equipment, and improvement of grounds, \$150,000, of which \$4,500 shall be immediately available for the preparation of plans and specifications.

Register of wills.

REGISTER OF WILLS

Personal services. Contingent expenses.

For personal services, \$64,827.

For miscellaneous and contingent expenses, telephone bills, printing, typewriters, photostat paper and supplies, including laboratory coats and photographic developing room equipment, towels, towel service, window washing, street-car tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, \$9,000.

Recorder of deeds.

RECORDER OF DEEDS

Personal services. records. Contingent expenses.

For personal services, \$83,754, of which \$6,000 shall be available Recopying old land only for recopying old land records of the District of Columbia.

For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, street-car tokens, postage, not exceeding \$100 for rest room for sick and injured employees and the equipment of and medical supplies for said rest room, and all other necessary incidental expenses, \$10,000.

Rent.

For rent of offices of the recorder of deeds, \$10,000.

Contingent expenses.

CONTINGENT AND MISCELLANEOUS EXPENSES

Objects specified.

For checks, books, law books, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; repairs to pound and vehicles; traveling expenses not to exceed \$1,000, including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the

District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; and other general necessary expenses of District offices; \$36,000: Provided, That no part of this or any other appropriation contained in this Act shall of supplies forbidden. be expended for printing or binding a schedule or list of supplies and materials for the furnishing of which contracts have been or may be awarded.

For printing and binding, \$40,000.

Removing unsafe, etc., buildings.

Printing and binding.

CENTRAL GARAGE Central Garage.

For maintenance, care, repair, and operation of passenger-carry-

ing automobiles owned by the District of Columbia, including personal services, \$56,806; for exchange of such passenger-carrying automobiles now owned by the District of Columbia as, in the judgment of the Commissioners of said District, have or shall become unserviceable, \$8,000; in all, \$64,806.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" District-owned vehicles. directly pertaining to the public services of said District, and shall from time to time alter or change the assignment for use thereof Commissioners. or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transporin this Act; and "official purposes" shall not include the transportation betation of officers and employees between their domiciles and places of employment. of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the Commissioners: Provided, That no passenger-carrying automobile, except Proviso busses, patrol wagons, and ambulances, and except as otherwise striction. specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding \$650. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Appropriations in this Act shall not be used for the payment of miums forbidden.

premiums or other cost of fire insurance.

For postage for strictly official mail matter, including the rental

of postage meter equipment, \$22,500.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street car and bus fares from appropriations contained in this Act: Provided, That the expenditures herein authorized shall be so apportioned as not to exceed a total of \$9,500: Provided further, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

For judicial expenses, including witness fees, and expert services in District cases before the Supreme Court of said District, \$1,500: Provided, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the ing permitted. public interest, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes (U.S.C., title 41,

Automobiles, main-tenance, etc.

Proviso. Purchase price re-

Transfer forbidden.

Postage. Car fare, etc.

Provisos Limitation.

Fire and police de-

Judicial expenses.

Provisos Contracts for report-

R.S., sec. 3709, p 733. U.S.C , p. 1309

No court fees, etc., in District Supreme Court, required.

sec. 5) under available appropriations contained in this Act: Provided further, That neither the District of Columbia nor any officer thereof acting in his official capacity for the District of Columbia shall be required to pay court costs to the clerk of the Supreme Court of the District of Columbia.

General advertising.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, \$4,000: Provided, That this appropriation shall not be available for the pay-Proviso.
Outside advertising. ment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

Taxes in arrears. Vol. 30, p. 250.

For advertising notice of taxes in arrears July 1, 1934, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, \$8,000: Provided, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one morning or one evening newspaper published in the District of Columbia, notwithstanding the provisions of existing law.

Proviso.
Publication of delinquent list modified.

EMPLOYMENT SERVICE

Employment service.

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, \$9,920.

Emergency fund.

EMERGENCY FUND

Expenses; restriction.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all other cases of emergency not otherwise sufficiently provided for, in the discretion of the Commissioners, \$1,500: Provided, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of not to exceed \$1,000 for such investigations as they may deem necessary.

Proviso. Voucher for expenses.

Refund of erroneous collections.

REFUND OF ERRONEOUS COLLECTIONS

Payments authorized. Vol. 36, p. 967.

To enable the Commissioners, in any case where special assessments, school tuition charges, payments for lost library books, rents, fees, or collections of any character have been erroneously covered into the Treasury, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat., p. 967), \$4,000: Provided, That this appropriation shall be available for such refunds of payments made within the past three years.

Building permits.

To aid in support of the National Conference of Commissioners on Uniform State Laws, \$250.

Proviso. Refunds of prior

Conference on Uniform State Laws.

Street, etc., improve-ment and repair.

STREET AND ROAD IMPROVEMENT AND REPAIR

Personal services. Payable from gaso-line tax fund.

For personal services, \$161,550, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat. p. 106), and accretions by repayment of assessments.

GASOLINE TAX, ROAD AND STREET IMPROVEMENTS AND REPAIRS

Gasoline tax, road and street fund.

For paving, repaving, grading, and otherwise improving streets, Paving, etc., streets and roads from. avenues, and roads, including personal services and the maintenance

of motor vehicles used in this work, and including curbing and gutters and replacement of curb-line trees where necessary, as follows, to be paid from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments:

Vol. 43, p. 106.

For grading streets, alleys, and roads, including construction of leys, and roads, alleys, and roads. necessary culverts and retaining walls, \$50,000;

For surfacing block pavements and paving the unpaved center Surfacine, et al.

Surfacing block pave-

strips of paved roadways, \$15,000;

For minor changes in roadway and sidewalks on plans to be roadways, etc. approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, \$5,000;

Minor changes in

For construction of curbs and gutters, or concrete shoulders in shoulders, etc gutters, connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of

base of such roadways where necessary, \$225,000;

For the surfacing and resurfacing or replacement of asphalt, Surfacing, etc., pavegranite block, or concrete pavements with the same or other approved material, \$350,000;

For construction, maintenance, operation, and repair of bridges, Bridges, construction, maintenance, of names of particles of the property of the construction of the including maintenance of nonpassenger-carrying motor vehicles, \$65,000:

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads, and including the purchase, exchange, maintenance, and operation of nonpassenger-carrying motor vehicles used in this work, \$750,000: Provided, That the Commissioners of the District of Columbia, Proviso.

Purchase of asphalt should they deem such action to be to the advantage of the District plant authorized.

Street, etc., repairs.

of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000.

This appropriation shall be available for the construction and Street railways, pavements. repair of pavements of street railways in accordance with the provisions of the Merger Act, approved January 14, 1933 (47 Stat., p. The proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway railway company. company shall be collected, upon the neglect or the refusal of such street-railway company to pay, from the said street-railway company in the manner provided by section 5 of "An Act providing a permanent form of government for the District of Columbia". approved June 11, 1878, and shall be deposited to the credit of the

appropriation for the fiscal year in which it is collected; For completing the construction of a bridge to replace the Calvert Bridge, construction. Ante, p. 229. Street Bridge over Rock Creek, in accordance with the provisions and conditions contained in the District of Columbia Appropriation Act for the fiscal year 1934, \$500,000;

Vol. 47, p. 752. Proportion of

Vol. 20, p. 105.

For the construction of a viaduct or bridge and approaches thereto duct, construction. in line of Eastern Avenue between Monroe Street and Bladensburg Road northeast, over the tracks and right-of-way of the Baltimore and Ohio Railroad Company, in accordance with plans and profiles of said work to be approved by the Commissioners of the District of Columbia, including construction of and changes in sewers and water mains, personal services, and engineering and incidental

Provisos.
One half cost borne by railroad company.

expenses, \$130,000: Provided, That one half of the total cost of constructing the said viaduct or bridge and approaches shall be borne and paid by the said railway company, its successors and assigns, to the collector of taxes of the District of Columbia, to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said Commissioners in the Supreme Court of the District of Columbia, or by any other lawful proceeding against the said railroad company: Provided further, That from and after the completion of the said viaduct and approaches, the wooden bridge in the line of Reeves Road over the tracks and right-of-way of the said Baltimore and Ohio Railroad Company shall be removed and the road at the railroad right-of-way forever closed against

further traffic of any kind;
In all, not to exceed \$2,090,000, to be immediately available; to be disbursed and accounted for as "Gasoline tax, road, and street improvements and repairs", and for that purpose shall constitute one fund: Provided, That assessments in accordance with existing law shall be made for paving and repaving roadways where such roadways are paved or repaved with funds derived from the collec-

of assessments.

Disbursements, etc.

Wooden structure to be removed; road closed.

Assessments under existing law.

MISCELLANEOUS ROAD AND STREET IMPROVEMENTS AND REPAIRS

tion of the tax on motor-vehicle fuels and accretions by repayment

Assessment and per-

For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance

of nonpassenger-carrying motor vehicles, \$150,000.

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, except Fourteenth Street extension beyond the southern boundary of Walter Reed Hospital Reservation, in accordance with the plan of the permanent system of highways for the District of Columbia, there is appropriated such sum as is necessary for said purpose, including the procurement of chains of title, during the fiscal year 1935, to be paid wholly out of the revenues of the District of Columbia: Provided, That this appropriation shall be available to carry out the provisions of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia: Provided further, That the amount expended hereunder shall not exceed

\$200,000. The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations

contained in this Act. No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications

Opening streets, etc., permanent highway system. Vol. 37, p. 950.

Indefinite appropriation for, from District revenues.

Provisos.
Alley improvements, building lines, etc.

Maximum expendi-

Changing widths, etc. sidewalk

Open competition for street repair, etc., contracts.

for such work shall be so prepared as to permit of fair and open

competition in paving material as well as in price.

In addition to the provision of existing law requiring contractors Repairs, due to infeto keep new pavements in repair for a period of one year from the tractor. date of the completion of the work, the Commissioners of the District of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity

of the District government.

Repayment.

Laboratory tests.

BRIDGES AND WHARVES

For reconstruction, where necessary, and for maintenance and maintenance, etc. repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac River, \$5,000.

TREES AND PARKINGS

For personal services, \$23,940.

For contingent expenses, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees and tree spaces on city and suburban streets, purchase and maintenance of nonpassenger-carrying motor vehicles, and miscellaneous items, \$88,200.

SEWERS

For personal services, \$167,598.

For cleaning and repairing sewers and basins; for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oil, waste, and other supplies, and for the maintenance of nonpassenger-carrying motor vehicles used in this work, \$200,411.

For main and pipe sewers and receiving basins, \$95,491.

For suburban sewers, including the maintenance of nonpassenger-carrying motor vehicles used in this work, and the replacement of the following motor trucks: Two at not to exceed \$3,500 each; one at not to exceed \$2,000; \$150,000.

For assessment and permit work, sewers, including not to exceed \$1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, \$120,094.

Bridges and wharves.

Trees and parking.

Personal services.

Contingent expenses.

Sewers.

Personal services. Cleaning, repair, etc.

Main and pipe. Suburban. Motor trucks.

Assessment and permit work.

COLLECTION AND DISPOSAL OF REFUSE

For personal services, \$126,900.

For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the etc. Commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters in the discretion of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of stables; maintenance and repair of non-passenger-carrying motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment; and necessary incidental expenses,

City refuse.

Personal services. Sweeping, cleaning, snow and ice removal, Proviso.
Availability of designated funds for snow removal.

\$375,000: Provided, That appropriations contained in this Act for highways, sewers, and the water department, shall be available for snow removal when specifically and in writing ordered by the Commissioners.

Garbage, dead animals, ashes, etc.

To enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; and incidental expenses, \$716,200: Provided, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in the manner provided by law: Provided further, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

Provisos.
Proceeds covered in;
division of.

Collection restrictions.

Public playgrounds

PUBLIC PLAYGROUNDS

Personal services.

Proviso
Employments restricted.

For personal services, \$101,250: Provided, That employments hereunder, except directors who shall be employed for twelve months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia Appropriation Act for the fiscal year 1924.

Maintenance, etc.

For general maintenance, repairs, and improvements, equipment, supplies, incidental and contingent expenses of playgrounds, including labor and maintenance, and not to exceed \$500 for purchase and exchange, of one motor truck, \$33,600.

Public-school playgrounds during summer. For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds, under the direction and supervision of the Commissioners; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, \$23,930.

Swimming or bathing pools.

For temporary services, including superintendence, supplies, repairs, maintenance, and expenses necessary in the operation of swimming or bathing pools, \$10,370.

Electrical department.

ELECTRICAL DEPARTMENT

Personal services.
Supplies, contingent expenses, etc.

For personal services, \$121,770.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, livery, blacksmithing, extra labor, new boxes, maintenance of motor trucks and other necessary items, including not to exceed \$3,600 for the purchase and exchange of one nonpassenger-carrying motor vehicle, \$29,000.

Placing wires underground.
Police-patrol and firealarm systems, etc. For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and fire-alarm systems, purchase and installing additional lead-covered cables, labor, material, appurtenances, and other necessary equipment and expenses, \$15,000.

Lighting, etc.

Lighting: For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost

of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms; extra labor, operation, maintenance, and repair of motor trucks, this sum to be expended in accordance with the provisions of section 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat., Vol. 36, p. 1008; Vol. 37, p. 181. pp. 1008-1011, sec. 7), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat., pp. 181–184, sec. 7), and other laws applicable thereto, and including not to exceed \$27,000 for operation and maintenance of electric traffic lights, signals, and controls, \$768,700: Provided, That this appropriation shall not be available for the payment of rates for rates. electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed: *Provided further*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

For the purchase and installation of fire alarm transmitting apparatus and operator's pedestal storage batteries, storage-battery rectifiers, alarm gongs, master telegraph key with relays and terminal switchboard, necessary wiring materials, labor, and other necessary items, to replace worn and defective fire-alarm equipment and

apparatus in fire-alarm headquarters and fire stations, \$28,000.

Air mail lights.

Provisos. Electric street light

Awards to lowest competitor.

Fire-alarm system.

PUBLIC SCHOOLS

For personal services of administrative and supervisory officers administrative and supervisory officers. in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat., pp. 367-375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, \$583,380.

(43 Stat., pp. 367-375), the Act approved February 5, 1925 (43 Stat., pp. 806-808), and the Act approved May 29, 1928 (45 Stat., p. 998),

For personal services of teachers and librarians in accordance etc. with the Act approved June 4, 1924 (43 Stat., pp. 367-375), includ- Vol. 43, pp. 367-375. ing for teachers colleges assistant professors in salary class eleven, and professors in salary class twelve, \$5,763,960, of which not exceeding \$5,000 may be expended for compensation to be fixed by the Board of Education and traveling expenses of educational consultants employed in character education: *Provided*, That as teacher vacancies occur during the fiscal year 1935 in grades one grades 1 to 4. to four, inclusive, of the elementary schools, such vacancies may be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible cies that occur during the fiscal year 1935 wherever found may be subjects.

Placing unassigned teachers of special, etc., subjects. not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination: Provided further, That in the interests of economy the Board of Education may at its discretion during the fiscal year 1935

Public schools.

Vol. 43, p. 368.

Teachers, librarians,

Temporary teachers.

appoint as temporary teachers in public schools of the District of Columbia qualified teachers from the eligible list of applicants established by examinations.

Vacation schools.

For the instruction and supervision of children in the vacation schools and playgrounds, and supervisors and teachers of vacation schools and playgrounds may also be supervisors and teachers of day schools, \$26,460.

Soliciting subscriptions, etc., in schools prohibited.

No part of any appropriation made in this Act shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the Superintendent of Schools.

Exception.

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled 'An Act for the retirement of public-school teachers in the District of Columbia,' approved January 15, 1920, and for other purposes" (41 Stat., pp. 387-390),

Annuities. Vol. 41, 387; Vol. 44, p. 728.

\$400,000. Night schools.

NIGHT SCHOOLS

Salaries.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, \$85,246.

Contingent expenses.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, \$4,000.

THE DEAF, DUMB, AND BLIND

Deaf, dumb, and blind.

For maintenance and instruction of deaf and dumb persons Maintenance, in admitted to the Columbia Institution for the Deaf from the District struction etc. Maintenance, struction, etc.

R.S., sec. 4864, p. of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U.S.C., title 24, U.S.C., p. 685.

admitted to the Columbia Institution for the Deaf from the District Revised Statutes, and as provided for in the Act approved March 1, 1901 (U.S.C., title 24, sec. 238), and under a contract to be entered into with the said instisec. 238), and under a contract to be entered into with the said institution by the Commissioners, \$32,500.

Colored deaf mutes. Tuition of, under contract.

For maintenance and instruction of colored deaf-mutes of teachable age belonging to the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commis-Proviso. Supervision of ex. sioners, \$6,000: Provided, That all expenditures under this appropulative. priation shall be made under the supervision of the Board of Education.

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, \$10,000: Provided, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Blind children. Tuition of, under contract.

Proviso.
Supervision of expenditure.

AMERICANIZATION WORK

Americanization work and instruction of foreigners of all Instructing foreigners ages in both day and night classes, and teachers and janitors of the Americanization work and instruction of foreigners of all ages. Americanization schools may also be teachers and janitors of the day schools, \$7,920.

Equipment, etc.

3)

For contingent and other necessary expenses, including books, equipment, and supplies, \$600.

For aid in the education of children (between the ages of sixteen of World War veterans and twenty-one years, inclusive, who have had their domicile in the dying in service. District of Columbia for at least five years) of those who lost their lives during the World War as a result of service in the military or naval forces of the United States, including tuition, fees, maintenance, and the purchase of books and supplies, \$3,600: Provided, That not more than \$200 shall be available for any one child during the fiscal year 1935: Provided further, That this appropriation shall be expended for such children while attending educational institutions of a secondary or college grade under rules to secondary, etc., educational institutions. and regulations prescribed by the Board of Education.

COMMUNITY CENTER DEPARTMENT

For personal services of the director, general secretaries, and penses. Vol. 43, p. 376. community secretaries in accordance with the Act approved June 4, 1924 (43 Stat., pp. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, \$40,000.

Community centers.

Salaries and ex-

CARE OF BUILDINGS AND GROUNDS

For personal services, including care of smaller buildings and rented rooms at a rate not to exceed \$96 per annum for the care and rented rooms. of each schoolroom, other than those occupied by atypical or ungraded classes, for which service an amount not to exceed \$120 per annum may be allowed, \$791,600.

Care of buildings and grounds.

Salaries.

MISCELLANEOUS

Miscellaneous.

For the maintenance of schools for tubercular and crippled pupils, Schools for tubercular and crippled pupils, lar and crippled pupils. \$8,000.

For transportation for pupils attending schools for tubercular pupils, and for pupils attending schools for crippled pupils, \$18,500: Provided, That expenditures for street car and bus fares, from this fund shall not be subject to the general limitations on the use of street car and bus fares covered by this Act.

For purchase and repair of furniture, tools, machinery, material, Manual training, and hooks and appearant to be used in connection with instantial, etc., expenses. and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, including the Shaw Junior High School, \$60,000, to be immediately available.

For fuel, gas, and electric light and power, \$250,000.

For contingent expenses, including United States flags, furniture Contingent expenses, and repairs of same, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding \$8,000 for books of reference and periodicals, not exceeding \$1,500 for replacement of pianos at an average cost of not to exceed \$300 each, not exceeding \$5,000 for labor, \$119,500, to be immediately available: *Provided*, That a bond shall not be required on account available: Provided, That a bond shall not be required on account No bond for Army of military supplies or equipment issued by the War Department supplies to cadets. for military instruction and practice by the students of high schools in the District of Columbia.

For furniture and equipment, including pianos and window Woodrow Wilson shades, for the Woodrow Wilson Senior High School, \$150,000.

No money appropriated in this Act for the purchase of furniture school equipment sub-and equipment for the public schools of the District of Columbia ject to Commissioners' shall be expended unless the requisitions of the Board of Education approval. therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

Transportation.

Car fare, etc

Fuel, light, and

Supplies to pupils. Vol. 46, p. 62.

Kindergartens.

Supplies for general sciences departments.

School gardens.

Nature study, etc.,

Children of Army, Navy, etc., admitted

Repairs, etc., to buildings.

School yard playgrounds.

Proviso.
Use, etc.

Buildings and grounds.

Browne Junior High.

Woodrow Wilson High.

Construction, Logan School. near Ante, p. 236.

Anacostia, Junior High.

Phelps School, addition.

Deal Junior High, addition.

Powell Junior High, gymnasium. Fund available. Vol. 47, p. 358.

Accounted as one fund.

For textbooks and other educational books and supplies as authorized by the Act of January 31, 1930 (46 Stat., p. 62), including not to exceed \$7,000 for personal services, \$180,000, to be immediately available.

For maintenance of kindergartens, \$5,600, to be immediately

available.

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of laboratories of the department of physics, chemistry, biology, and general science in the several high and junior high schools and teachers colleges, and for the installation of the same, \$15,000, to be immediately available.

For utensils, material, and labor, for establishment and mainte-

nance of school gardens, including rent of grounds, \$2,000.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to the work of instruction in nature study and school gardens.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

For repairs and improvements to school buildings, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sanitary drinking fountains, and maintenance of motor trucks, \$375,000, of which amount \$100,000 shall be immediately available.

For the purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, \$7,500: Provided, That such playgrounds shall be kept open for play purposes in accordance with the schedule maintained for playgrounds under the jurisdiction of the playground department.

BUILDINGS AND GROUNDS

For the construction of an addition to the Browne Junior High

School, including ten classrooms and one gymnasium, \$168,000.

For continuing the construction of the Woodrow Wilson High School, \$600,000.

For an additional amount for the erection of an eight-room building on a site now owned by the District of Columbia in the vicinity of the Logan School, \$5,500.

For completing the construction of a junior high school building on a site already purchased for that purpose at Nineteenth Street and Minnesota Avenue southeast in Anacostia, \$180,000.

For the construction of a four-room addition to the Phelps School,

including the necessary remodeling of present building, \$65,000.

For the construction of an addition to the Deal Junior High

School, including ten classrooms and one gymnasium, \$166,000.

Not to exceed \$36,000 of the unexpended balances of appropriations for buildings and grounds, public schools, contained in the District of Columbia Appropriation Act for the fiscal year 1933, is hereby made available for the construction of a gymnasium at the Powell Junior High School.

In all, \$1,184,500, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available until Proviso.
Use for unauthorized projects forbidden.

Tor that purpose shall constitute one fund and remain available until expended: Provided, That no part of this appropriation shall be used for or on account of any school building not herein specified.

For the purchase of additional land at the Phelps Vocational School for elementary school purposes, \$55,000: Provided, That no part of this amount shall be obligated or expended unless and until the Jefferson Junior High School site shall have been acquired within the sum contained in this Act for such purpose.

For an additional amount for the purchase of a site for the Jeffer-High, site.

son Junior High School, \$105,000.

No part of the foregoing appropriations for public schools shall tion prohibited be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1934, and children entering during the second half of the school year who will be five years of age by March 15, 1935: *Provided*, That this limitation shall not be considered as preventing the employment of a matron and the care of children vision. under school age at the Webster School whose parent or parents are in attendance in connection with Americanization work.

None of the money appropriated by this Act shall be paid or quirements. obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: Provided, That nothing herein shall be construed as repealing existing law giving the Commissioners the right to reject all bids.

The plans and specifications for all buildings provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation with the Board of Education, and shall be approved by the Commissioners and shall be constructed in conformity thereto.

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having in excess of eight rooms shall have at least four exits. Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one half hour before until one half hour after school hours.

METROPOLITAN POLICE

SALARIES

For the pay and allowances of officers and members of the Metropolitan Police Force, in accordance with the Act entitled "An Act to fix the salaries of the Metropolitan Police Force, the United States Park Police Force, and the fire department of the District of Columbia" (43 Stat., pp. 174-175), as amended by the Act of July 1, 1930 (46 Stat., pp. 839-841), including compensation at the rate of \$2,100 per annum for the present assistant property clerk of the police department, \$2,790,000.

For personal services, \$109,980.

MISCELLANEOUS

For fuel, \$7,000. For repairs and improvements to police stations and station grounds, \$8,000.

Junior

Proviso Webster School pro-

Proviso.

Right to reject bids.

Preparation of plans

Exit, etc., require-

Police.

Salaries, officers, etc.

Vol. 43, p. 174. Vol. 46, p. 839.

Personal services.

Miscellaneous. Firel. Repairs, etc.

Contingent expenses.

Radio systems.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance and servicing of radio broadcasting systems, including \$11,000 for use only in purchasing, maintaining, and servicing additional radio receiving sets for automobiles and the purchase and installation of radio input system in the several precinct stations, bureaus, and offices, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed \$300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime and other necessary expenses, including expenses of harbor patrol, \$78,500, of which amount not exceeding \$2,000 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: Provided, That the Commissioners are authorized to employ the electrician of the District Building to repair speedometers at such cost not exceeding \$250 as they may approve, payment to be in addition to his regular compensation, and such services to be performed after regular working hours. For purchase, exchange, and maintenance of passenger-carrying

Prevention and detection of crime.

Proviso.

Repairs to speedometers.

Motor vehicles.

Uniforms.

\$2,800 for two police cruisers.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, \$45,000.

and other motor vehicles and the replacement of those worn out in the service and condemned, \$60,000, including not to exceed

House of Detention.

HOUSE OF DETENTION

Maintenance, etc.

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, \$8,424; for personal services, \$7,538; in all, \$15,962.

Policemen, etc., relief fund.

POLICEMEN AND FIREMEN'S RELIEF FUND

Payments from.

To pay the relief and other allowances as authorized by law, such sum as is necessary for said purposes for the fiscal year 1935 is appropriated from the policemen and firemen's relief fund.

Fire Department.

FIRE DEPARTMENT

SALARIES

Salaries, officers, etc.

Vol. 46, p. 839.

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police Force, the United States

Park Police Force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839-841), \$1,894,500.

For personal services, \$5,058.

Personal services.

MISCELLANEOUS

For repairs and improvements to buildings and grounds, \$20,000. Bepairs, etc., to Uniforms: For furnishing uniforms and other official equipment Uniforms. prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, \$23,000.

For repairs to apparatus, motor vehicles, and other motor-driven to apparatus, fire boat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, \$42,217: Provided, That supplies, materials, equipment, and tools, \$42,217: Provided, That Provise. Construction at rethe Commissioners are authorized, in their discretion, to build or pair shop. construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

For hose, \$9,000. For fuel, \$21,000.

For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags, and halyards, medals of award, and other necessary items, \$20,000.

For two combination hose wagons and one pumping engine, triple combination, all motor driven, \$23,500.

Hose. Fuel.

Contingent expenses.

New apparatus.

HEALTH DEPARTMENT

Health Department.

SALARIES

For personal services, \$160,650.

PREVENTION OF CONTAGIOUS DISEASES

For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897 (29 Stat., pp. 635-641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907 (34 Stat., pp. 889-890), and an Act to provide for vol. 34, p. 889. registration of all cases of tuberculosis in the District of Columbia, Tuberculosis registration. for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat., pp. 126-127), under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat., pp. 1001-1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, \$27,783: Provided, That any bacteriologist employed Bacteriological examunder this appropriation may be assigned by the health officer to the mation of milk, etc. bacteriological examination of milk and other dairy products and

Personal services.

Prevention of contagious diseases.

Enforcement ex-

Vol. 29, p. 635.

Vol. 35, p. 126.

Infantile paralysis. Venereal diseases.

Vol. 43, p. 1001. Disinfecting service.

of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

Isolating wards, Gar-field Hospital.

For isolating wards for minor contagious diseases at Garfield Memorial Hospital, maintenance, \$25,000, or so much thereof as in the opinion of the Commissioners may be necessary.

Tuberculosis and venereal diseases dispen-

For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, \$42,998: Provided, That the Commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: Provided further, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Provisos. Volunteer services.

For enforcement of the provisions of an Act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat., pp. 125-126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for other purposes, approved April 14, 1906, \$1,000.

No pay authorized therefor.

Hygiene and sanitation, public schools, salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental clinics, \$84,554: *Provided*, That of the persons employed as medical inspectors one shall be a woman, four shall be dentists, and four shall be of the colored race, and that of the graduate nurses employed as public-school nurses three shall be of the colored race.

Drainage of lots, etc. Vol. 29, p. 126.

For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, \$1,800.

Abatement of nuisances. Vol. 34, p. 114.

> For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat., pp. 246-248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat., p. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drug, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat., pp. 768-772), and an Act to regulate, within the District of Columbia, the sale of milk, cream. and ice cream, and for other purposes, approved February 27, 1925 (43 Stat., pp. 1004-1008), including traveling and other necessary expenses of dairy-farm inspectors; and including not to exceed \$100 for special services in detecting adulteration of drugs and foods, including candy and milk, \$6,000: Provided, That inspectors of dairy farms may receive an allowance for furnishing privately owned motor vehicles in the performance of official duties at the

Hygiene, etc., public schools.

rate of not to exceed \$312 per annum for each inspector. For maintenance and operation of motor ambulances and motor

vehicles, \$900. Child welfare and hygiene: For maintaining a child-hygiene service, including the establishment and maintenance of child-welfare stations for the clinical examinations, advice, care, and maintenance of children under six years of age, payment for personal services, rent, fuel, periodicals, and supplies, \$45,834: Provided, That the Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and main-

Free dental clinics. Proviso. Division of inspec-

tors and nurses.

ratories, etc.

Maintenance of labo-

Preventing food, candy, etc., adulterations. Vol. 30, pp. 246, 398.

Pure Food Act. Vol. 34, p. 768.

Milk regulations. Vol. 43, p. 1004.

Provise.
Dairy farms inspec-tion; motor vehicle allowance.

Motor vehicles.

Child welfare and

Provisos.
Volunteer services accepted.

tenance of the service herein authorized: Provided further, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

No pay therefor.

COURTS AND PRISONS

Courts and prisons.

JUVENILE COURT

Juvenile Court.

Salaries: For personal services, \$52,938.

Personal services.

Miscellaneous: For compensation of jurors, \$1,125.

Jurors.

For fuel, ice, gas, laundry work, stationery, books of reference,

Contingent expenses.

periodicals, typewriters and repairs thereto, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, meals of jurors and prisoners, repairs to courthouse and grounds, furniture, fixtures, and equipment, and

other incidental expenses not otherwise provided for, \$2,750.

The disbursing officer of the District of Columbia is authorized for returning, etc., abscending probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed \$50 at any one time, to be expended for transportation and traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

POLICE COURT

Police Court.

Salaries: For personal services, \$90,000.

Personal services.

For law books, books of reference, directories, periodicals, stationery, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painter's and plumber's supplies, toilet articles, medicines, soap and disinfectants, lodging and meals for jurors and bailiffs when ordered by the court, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for, \$5,100, of which not exceeding \$750 shall be available for telephone and telegraph service.

Contingent expenses.

For witness fees and compensation of jurors, \$23,000. For repairs and alterations to building, \$1,500.

Witness fees and ju-rors' compensation. Repairs to building.

MUNICIPAL COURT

Municipal Court.

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, \$68,166.

Salaries.

For compensation of jurors, \$4,000: Provided, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved the court under authority granted in section 11 of the Act approved the set.

March 3. 1921 (41 Stat., p. 1312), shall be earned unless, prior to Vol. 41, p. 1312. March 3, 1921 (41 Stat., p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Jurors.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, \$3,000.

Contingent expenses.

District Supreme

SUPREME COURT, DISTRICT OF COLUMBIA

Salaries.

Salaries: For the chief justice, eight associate justices, nine stenographers (one for the chief justice and one for each associate justice), and other personal services \$129,380

Jurors and witnesses.

and other personal services, \$129,380.

Fees of jurors and witnesses: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised Statutes (U.S.C., title 28, sec. 604), \$85,000.

R.S., sec. 850, p. 160. Vol. 44, p. 323. U.S.C., p. 927. Bailiffs, etc.

For not exceeding twenty deputy marshals who act as bailiffs, clerks of jury commissioners, and per diems of jury commissioners, and for expenses of meals and lodging for jurors in United States cases, and of bailiffs in attendance upon same when ordered by the court, \$33,740: *Provided*, That the compensation of each jury commissioner for the fiscal year 1935 shall not exceed \$250.

Proviso.
Jury commissioners.

Probation system: For personal services, \$10,332; contingent

Probation system.

expenses, \$250; in all, \$10,582.

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, \$31,761, to be expended under the direction of

Courthouse, care, etc.

the Attorney General.

Repairs, etc.

For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, \$9,000, including not to exceed \$6,000 for repairs to roof, to be expended under the direction of the Architect of the Capitol.

Court of Appeals.

COURT OF APPEALS

Salaries.

Proviso.

Salaries: For the chief justice and four associate justices, and all other officers and employees of the court; reporting service; and not to exceed \$950 for necessary expenditures in the conduct of the clerk's office; in all, \$95,202: Provided, That the reports of the court shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.

Sale of reports.

Building: For personal services for care and protection of the Court of Appeals Building, including one mechanician, under the direction of the Architect of the Capitol, \$7,089: Provided, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court.

Care, etc., of building.

Proviso. Custodian.

For mops, brooms, buckets, disinfectants, removal of refuse, electrical supplies, books, and all other necessary and incidental expenses not otherwise provided for, \$660.

Incidental expenses.

Miscellaneous.

MISCELLANEOUS

Support of convicts out of the District.

Support of convicts: For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; and discharge gratuities provided by law; to be expended under the direction of the Attorney General, \$45,000.

Lunacy writs. Expenses of executing. Vol. 33, p. 740. Writs of lunacy: For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the

District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, \$1,000.

Miscellaneous court expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court by Attorney General. of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and including such expenses other than for personal services as may be authorized by the Attorney General for the Court of Appeals, District of Columbia, \$35,000.

Printing and binding: For printing and binding for the Supreme Court and the Court of Appeals of the District of Columbia, except records and briefs in cases in which the United States is a party,

\$5,000.

PUBLIC WELFARE

BOARD OF PUBLIC WELFARE

For personal services, \$96,000.

DIVISION OF CHILD WELFARE

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$50, and all office and sundry expenses, \$3,500, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Wel- Limitation on visit-fare placed outside the District of Columbia and the States of Vir- the District. ginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to

For board and care of all children committed to the guardianship dren. Board, etc., of chilof said board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$1,500 each to institutions under sectarian control and not more than \$400 for burial of children dying while under charge of the board, \$240,000.

To carry out the purposes of the Act entitled "An Act to provide ent children."

home care for dependent children in the District of Columbia". approved June 22, 1926 (44 Stat., pp. 758-760), including not to exceed \$11,808 for personal services in the District of Columbia, \$171,808: Provided, That this appropriation shall be so apportioned by the Commissioners as to prevent a deficiency therein, and no strictions. more than \$100 per month shall be paid therefrom to any one family.

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate teen. and apart from the House of Detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medical supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies and equipment, and other necessary expenses including not to exceed \$17,208 for personal services, \$34,768.

Miscellaneous ex-

Printing and binding.

Public Welfare.

Board of Public Wel-

Personal services.

Child Welfare Division.

Administrative expenses.

Vol. 44, p. 758.

Proviso

Receiving home for children under seven-

Maintenance, etc.

The disbursing officer of the District of Columbia is authorized

Advances to director.

to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the Commissioners, sums of money not to exceed \$400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers

of the District of Columbia within one month on itemized vouchers properly approved.

Jail.

Limit.

JAIL

Personal services. Maintenance, etc., of prisoners.

Salaries: For personal services, \$68,823.

For maintenance and support of prisoners of the District of Columbia at the jail, expenses incurred in identifying and pursuing escaped prisoners and rewards for their recapture; repair and improvements to buildings, cells, and locking devices; newspapers, books, and periodicals not to exceed \$100; maintenance of nonpassenger-carrying motor vehicle; and expense of electrocutions, \$70,000.

Workhouse and Re- GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF formatory. COLUMBIA

Personal services.

For personal services, \$324,000.

Maintenance, etc.

For maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, medical supplies, newspapers, books, books of reference, and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses, purchase, exchange, maintenance, operation, and repair of nonpassenger-carrying vehicles and motor bus; fuel for heating, lighting, and power, and all other necessary items, \$335,000.

Fuel, etc.

For continuing construction of permanent buildings, including sewers, water mains, roads, and other necessary utilities, and for

Construction of buildings, etc.

equipment for new buildings, \$42,800.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical

Repairs.

Working capital.

equipment not used in industrial enterprises, \$22,000.

Purchase of services and products.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, \$30,319: Provided, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such surplus products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1935 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of nonpassenger-carrying vehicles, purchase and maintenance of horses, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

Receipts deposited as revolving fund; availability.

For construction of a permanent water supply filtration system, water supply. Filtration system, water supply. including the purchase of land on Occoquan Creek and Elkhorn Run, to be immediately available, \$52,000: Provided, That in case a satisfactory price cannot be agreed upon for the purchase of said satisfactory price not land, the Attorney General of the United States, upon the request of the Commissionary of the District of Columbia is districted. the Commissioners of the District of Columbia, is directed to acquire said land by condemnation, title to be taken directly to and in the name of the United States, and the expenses of condemnation shall

be paid out of the appropriation herein made.

The disbursing officer of the District of Columbia is authorized for returning escaped to advance to the general superintendent of penal institutions, upon prisoners. requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding \$200 at one time, to be used only for expenses in returning escaped prisoners, payable from the maintenance appropriations for the workhouse and reformatory, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

NATIONAL TRAINING SCHOOL FOR BOYS

For care and maintenance of boys committed to the National committed thereto. Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, \$38,000.

National Training School for Boys.

NATIONAL TRAINING SCHOOL FOR GIRLS

Salaries: For personal services, \$28,800.

For groceries, provisions, light, fuel, soap, oil, lamps, candles, clothing, shoes, forage, horseshoeing, medicines, medical attendance, transportation, sewing machines, fixtures, books, magazines, and other supplies which represent greater educational advantages; stationery, horses, vehicles, harness, cows, pigs, fowls, sheds, fences, repairs, typewriting, stenography, and other necessary items, and services; for identifying and pursuing escaped inmates and for abscenders. rewards for their capture, for transportation and other necessary expenses incident to securing suitable homes for paroled or discharged girls, and for maintenance of nonpassenger-correct and the securing suitable homes. vehicles, \$30,000.

National Training School for Girls.

Salaries and ex-

Medical charities.

MEDICAL CHARITIES

For care and treatment of indigent patients under contracts to be patients at designated made by the Board of Public Welfare with the following institutions and for not to exceed the following amounts, respectively:

Children's Hospital, \$30,000.

Central Dispensary and Emergency Hospital, \$45,000. Eastern Dispensary and Casualty Hospital, \$20,000. Washington Home for Incurables, \$10,000.

COLUMBIA HOSPITAL AND LYING-IN ASYLUM

For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, \$5,000.

Columbia Hospital.

Repairs, etc.

Tuberculosis Hospital.

TUBERCULOSIS HOSPITAL

Salaries and expenses.

For personal services, \$81,567.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, books of reference, and periodicals not to exceed \$200, temporary services not to exceed \$1,000, maintenance of motor truck, and other necessary items, \$60,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including roads and sidewalks, \$3,000.

Children's tuberculosis sanatorium.

CHILDREN'S TUBERCULOSIS SANATORIUM

Salaries and expenses.

Salaries: For personal services, \$51,498.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, maintenance and purchase of horses and horse-drawn vehicles, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, books of reference, and periodicals not to exceed \$200, temporary services not to exceed \$1,000, maintenance of motor truck, and other necessary items, \$30,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including roads and sidewalks, \$2,000.

D.C. Tuberculosis Sanatoria.

DISTRICT OF COLUMBIA TUBERCULOSIS SANATORIA

Children's unit, additions.

Plans for construction, Glenn Dale, Md. For the construction of additions to the Children's Unit, and the preparation of plans and specifications for the District of Columbia Tuberculosis Sanatoria at Glenn Dale, Maryland, including not to exceed \$100,000 for the employment of professional and other personal services without reference to the Classification Act of 1923, as amended, and section 3709 of the Revised Statutes of the United States, \$500,000.

Gallinger Hospital.

GALLINGER MUNICIPAL HOSPITAL

Personal services.

Salaries: For personal services, including not to exceed \$2,000

for temporary labor, \$323,928.

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals, not to exceed \$500; for maintenance of nonpassenger-carrying motor vehicles; and for all other necessary expenses, \$205,000.

Repairs, etc.
Incidental expenses.

For repairs and improvements to buildings and grounds, \$4,500. Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, \$600.

Additional ward for contagious diseases.

For completing construction at Gallinger Municipal Hospital of an additional ward building for contagious diseases, including necessary equipment, \$290,000.

DISTRICT TRAINING SCHOOL

District Training School.

For personal services, including not to exceed \$1,000 for tem-

Personal services.

porary labor, \$81,486.

Maintenance, etc.

For maintenance and other necessary expenses, including the maintenance of nonpassenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, and not to exceed \$200 for the purchase of books, books of reference, and periodicals, \$80,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, \$5,000. For purchase and exchange of one two-ton motor truck, \$1,000.

Motor truck.

INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Industrial Home School for Colored Children. Personal services.

Salaries: For personal services, \$30,575; temporary labor, \$425; in all, \$31,000.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, and maintenance of nonpassenger-carrying motor vehicles, and not to exceed \$1,250 for manual-training equipment and materials, \$25,000.

Maintenance, etc.

For repairs and improvements to buildings and grounds, \$2,000.

Repairs, etc.

INDUSTRIAL HOME SCHOOL

Industrial Home School.

Salaries: For personal services, \$21,780; temporary labor, \$450;

Personal services.

in all, \$22,230. For maintenance, including care of horses, purchase and care

Maintenance.

of wagon and harness, maintenance of nonpassenger-carrying motor vehicle, \$20,500.

Repairs, etc.

For repairs and improvement to buildings and grounds, \$2,500.

Home for Aged and Infirm.

HOME FOR AGED AND INFIRM

Salaries: For personal services, \$53,100, temporary labor, \$1,800; in all, \$54,900.

Personal services.

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of nonpassenger-carrying motor vehicles, \$67,500.

Contingent expenses.

For repairs and improvements to buildings and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, \$4,500.

Repairs, etc.; day labor.

For the purchase and exchange of station wagon-truck, \$750.

Truck.

MUNICIPAL LODGING HOUSE AND WOOD YARD

For personal services, \$3,240; maintenance, \$4,000; in all, \$7,240. Municipal lodging house.

EMERGENCY RELIEF

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and/or direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the board and without regard to the provisions of any other law, payable from the revenues. Wholly from District regard to the provisions of any other law, payable from the revenues. of the District of Columbia, \$2,000,000, to be immediately available.

Emergency relief.

TEMPORARY HOME FOR UNION EX-SOLDIERS AND SAILORS (DEPARTMENT OF THE POTOMAC, GRAND ARMY OF THE REPUBLIC)

Grand Army soldiers, etc., temporary home.

For personal services, \$4,158; maintenance, \$9,250; and repairs to buildings and grounds, \$500; in all, \$13,908, to be expended under the direction of the Commissioners; and Union ex-soldiers, sailors, or marines of the Civil War, ex-soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

FLORENCE CRITTENTON HOME

Florence Crittenton Home.

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, \$6,000.

SOUTHERN RELIEF SOCIETY

Southern Relief Society, for needy Confederate veterans.

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, \$10,000.

NATIONAL LIBRARY FOR THE BLIND

National Library for the Blind. For aid and support of the National Library for the Blind, located at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$5,000.

COLUMBIA POLYTECHNIC INSTITUTE

Columbia Polytechnic Institute. To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$3,000.

Saint Elizabeths Hospital.

SAINT ELIZABETHS HOSPITAL

Support of District insane.

For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$1,874,092.

NONRESIDENT INSANE

Deporting nonresident insane. Vol. 30, p. 811. For deportation of nonresident insane persons, in accordance with the Act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, \$9,000.

Advances authorized to Director of Public Welfare. In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said director, sums of money not exceeding \$300 at one time, to be used only for deportation of non-resident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Limit.

RELIEF OF THE POOR

Relief of the poor.

For relief of the poor, including medical and surgical supplies, artificial limbs, and for pay of physicians to the poor, to be expended under the direction of the Board of Public Welfare, \$8,000.

For payment to beneficiaries named in section 3 of "An Act mak-g it a misdemeanor in the District of Columbia to abandon or Note 37, vol. 44, p. 87; vol. 44, ing it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by p. 758. any person of his wife or his or her minor children in destitute or necessitous circumstances", approved March 23, 1906, to be disbursed by the disbursing officer of the District of Columbia on itemized vouchers duly audited and approved by the auditor of said District, \$9,000.

BURIAL OF EX-SERVICE MEN

Ex-service men.

For expenses of burying in the Arlington National Cemetery, or Arlington Cemetery, in the cemeteries of the District of Columbia, indigent Union etc. ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding \$45 for such burial expenses in each case, exclusive of cost of grave, \$540.

TRANSPORTATION OF INDIGENT PERSONS

For transportation of indigent persons, including indigent vet- Transporting indigent vet- gent persons. erans of the World War and their families, \$5,000.

Vocational rehabilitation of disabled residents, District of tation of disabled residents. Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of Vol. 45, p. 1260. Vol. 45, p. 1260. V.S.C., Supp. VII, the District of Columbia, and for other purposes", approved February 23, 1929 (U.S.C., Supp. VI, title 29, secs. 47–47f), \$15,000.

MILITIA

Militia.

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and ing general. empowered to make necessary contracts and leases, namely:

For personal services, \$19,080; temporary labor, \$5,220; for

expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments. not to exceed \$500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passengercarrying motor vehicles; street-car fares (not to exceed \$200) necessarily used in the transaction of official business; not exceeding \$400

for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, \$9,000; in all, \$33,300.

Personal services. Expenses of camps.

National Capital Parks.

NATIONAL CAPITAL PARKS

SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

Personal services.

For personal services, \$314,880.

Public parks.

GENERAL EXPENSES, PUBLIC PARKS

Maintenance and general expenses

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains and reservations, propagating gardens and greenhouses under the jurisdiction of the National Park Service, including not to exceed \$5,000 for the maintenance of the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per diem rates of pay approved by the Director, not exceeding current rates of pay for similar employment in the District of Columbia; the hire of draft animals with or without drivers at local rates approved by the Director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; car fare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books, blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles, motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, \$340,543: Provided, That not exceeding \$20,000 of the amount herein appropriated may be expended for placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; and not exceeding \$10,000 for the erection of minor auxiliary structures.

Proviso. Outdoor sports, band concerts, etc.

Park police.

PARK POLICE

Pay, etc. Vol. 43, p. 175; Vol. Salaries: For pay and allowances of the United States park police 44, p. 834; Vol. 46, p. force, in accordance with the Act approved May 27, 1924, as 839. amended, \$153,450.

Uniforms, equipment, etc.

For uniforming and equipping the United States park police force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment, \$8,000.

National Capital Park and Planning Commission.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Reimbursing United States for acquired lands, for park system. Vol. 46, p. 485. Incidental expenses. Vol. 43, p. 463; Vol. 44, p. 374; Vol. 45, p. 1070.

For reimbursement to the United States in compliance with section 4 of the Act approved May 29, 1930 (46 Stat., p. 482), as amended, \$531,211.94.

For each and every purpose, except the acquisition of land, requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the Act entitled "An Act providing for a comprehensive development of the park and play-ground system of the National Capital", approved June 6, 1924 (U.S.C., title 40, sec. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed \$1,500 for printing and binding, not to exceed \$500 for traveling

U.S.C., p. 1292.

expenses and car fare of employees of the commission, and not to exceed \$300 for professional, scientific, technical, and reference books, and periodicals, \$33,096.

NATIONAL ZOOLOGICAL PARK

National Zoological Park.

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and incidental expenses not otherwise provided for, including not to exceed \$2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; maintenance and operation of one motorpropelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and nonpassenger-carrying motor vehicles, revolvers and ammunition; not exceeding \$2,500 for purchasing and supplying uniforms to park police, keepers, and assistant keepers; not exceeding \$100 for the purchase of necessary books and periodicals, \$189,600, no part of which sum shall be available for architect's fees or compensation.

WATER SERVICE

Water service.

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington Aqueduct and its appurtenances and for expenses of water department, namely:

From water revenues.

WASHINGTON AQUEDUCT

Washington Aque-

For operation, including salaries of all necessary employees, maintenance and repair of Washington Aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington Aqueduct tunnel, the filtration plants, the pumping plants and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services, purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed \$650; purchase and repair of rubber boots and protective apparel, and for each and every purpose connected therewith, \$420,624.

Maintenance, etc., of, and accessories.

Nothing herein shall be construed as affecting the superintendence of War not affected. and control of the Secretary of War over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

For revenue and inspection and distribution branches: For per-

Revenue, inspection and distribution.

sonal services, \$158,823.

Operating expenses.

For maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor trucks, and motor vehicles such as are now owned, and the replacement by purchase and/or exchange of the following motorpropelled vehicles: one one-and-one-half-ton special truck not to exceed \$1,800, and one four-ton truck not to exceed \$2,000; purchase of fuel, oils, waste, and other materials, and the employment of all

labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding not to exceed \$2,500, postage, purchase of technical reference books and periodicals not to exceed \$275, and other necessary items, \$7,500; in all for maintenance, \$310,000, of which not exceeding \$5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station.

Distribution ex-

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment

system, \$160,000.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, \$60,000.

Hydrants. Replacing mains.

Meters.

For installing fire and public hydrants, \$18,800. For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, \$90,000, to be immediately available.

New mains.

For eight thousand two hundred feet of twenty-inch water main in Nichols Avenue Southeast, from First Street to Blue Plains, \$59,000.

For three thousand feet of thirty-inch water main from the thirty-inch main in Pennsylvania Avenue Southeast to Eighteenth Street and Minnesota Avenue Southeast, \$42,000.

For seven thousand five hundred feet of sixteen-inch water main in Rock Creek Church Road Northwest from Upshur Street to Harewood Road and south in Harewood Road to Michigan Avenue,

For three thousand one hundred feet of twenty-inch water main from Thirty-third Place and Woodley Road Northwest to Connecticut Avenue in vicinity of Macomb Street Northwest, \$25,000.

During the fiscal year ending June 30, 1935, the Commissioners of the District of Columbia are authorized to allow a reduction of not to exceed 25 per centum in the water charges within the District Metered allowance of Columbia fixed by existing law, and the present metered allowance of 7,500 cubic feet is increased to 10,000 cubic feet during

such fiscal year.

Assessment rates for mains and sewers.

Discounts allowed on

Vol. 33, p. 244.

The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the Act entitled "An Act authorizing the laying of water mains and service sewers, and for other purposes", approved April 22, 1904, are hereby established at \$1.50 per linear foot for any water mains and service sewers constructed or laid on and after July 1, Proviso. Barry Farm subdi. 1934: Provided, That the assessment rate herein prescribed shall be applicable to assessments for sewer and water mains constructed and laid subsequent to January 1, 1923, in the subdivision of Barry Farm, as said subdivision appears on the records of the Surveyor of the District of Columbia.

Construction work, etc., under sioners.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically

and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: Provided, That the expenditures hereunder shall not exceed \$42,000 during the fiscal year 1935: Provided further, That, excluding penses. inspectors in the sewer department and one inspector in the electrical department, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months

in the aggregate during the fiscal year.

The Commissioners, or their duly designated representatives, are etc. further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

Sec. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motor trucks may be hired exclusively to carry into effect Specific authority required. said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: Provided, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for etc. hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics.

Sec. 4. That the Commissioners are authorized to employ in the funds.

Miscellaneous trust recution of work, the cost of which is payable from the appropriexecution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as the Miscellaneous trustfund deposits, District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motor trucks when specifically and in writing authorized by the Commissioners, and to incur all necessary expenses incidental to carrying on such work

Provisos. Limitation on

Period of employ-

Horses, vehicles, etc.

Temporary work.

Vol. 33, p. 368.

Employment of labor, etc.

and necessary for the proper execution thereof, including the purchase, exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be paid from said appropriation account: Provided, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and

Leaves of absence.

Any person employed under any of the provisions of this Act who has been employed for ten consecutive months or more shall not be denied the leave of absence with pay for which the law provides.

Material, supplies, vehicles, etc.

Purchases from stock of Government activities no longer needed.

Price stipulation.

Proviso.
Transfers under Executive Order No. 3019.

Increase of pay by reason of reallocation to higher grade.

Transfer of funds restricted.

Limitation on rent-

Provisos. Prior leases.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from the various services of the Government of the United States possessing material, supplies, passengercarrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: Provided, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Sec. 6. No part of the appropriations contained in this Act shall be used to pay any increase in the salary of any officer or employee of the District of Columbia by reason of the reallocation of the position of such officer or employee to a higher grade after June 30, 1932, by the Personnel Classification Board or the Civil Service Commission, and salaries paid accordingly shall be payment in full.

SEC. 7. No part of the funds appropriated in this Act for any activity shall be available for transfer to any other activity or between subheads of the same activity unless specifically authorized by the Director of the Bureau of the Budget.

SEC. 8. No part of the funds appropriated in this Act shall be available for the payment of rental of quarters for any activity at a rate in excess of 90 per centum of the per annum rate paid by the District of Columbia for such quarters on June 30, 1933: Provided, That the provisions of this paragraph shall not apply to leases made prior to the passage of this Act, except when renewals thereof are made hereafter: Provided further, That the appropri-Unexpended bal ations or portions of appropriations unexpended by reason of the operation of this paragraph shall not be used for any purpose, but shall be impounded and deposited in the Treasury to the credit of the District of Columbia.

Approved, June 4, 1934, 4 p.m.

[CHAPTER 390.]

AN ACT

To provide for changing the time of the meeting of Congress, the beginning of the terms of Members of Congress, and the time when the electoral votes shall be counted, and for other purposes.

June 5, 1934. [S. 2745.] [Public, No. 286.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 152 of The President; commencement of term of the Revised Statutes (U.S.C., title 3, sec. 41) is hereby amended by office. Vol. 47, p. 2569. striking out the words "fourth day of March" and inserting in lieu R. S., sec 152, U.S.C., p. 21. thereof "20th day of January".

SEC. 2. Section 25 of the Revised Statutes (U.S.C., title 2, sec. 7) is hereby amended by striking out the words "fourth day of March" and inserting in lieu thereof "3d day of January".

SEC. 3. Section 1 of the Act entitled "An Act providing a tem-

porary method of conducting the nomination and election of United States Senators", approved June 4, 1914 (U.S.C., title 2, sec. 1), is hereby amended by striking out "fourth day of March" and inserting in lieu thereof "3d day of January".

SEC. 4. The first sentence of section 20 of the Act entitled "An Act sioners, Philippine Isto declare the purpose of the people of the United States as to the lands, Vol. 39, p. 552. U.S.C., p. 1630. provide a more autonomous government for those islands", approved August 29, 1916 (U.S.C., title 48, sec. 1091), is hereby amended by striking out the words "fourth day of March" and inserting in lieu thereof "3d day of January".

ereof "3d day of January".

SEC. 5. The second sentence of section 36 of the Act entitled "An sioner, Puerto Rico. to provide a civil government for Porto Rico, and for other Vol. 39, p. 963.
U.S.C., p. 1625. SEC. 5. The second sentence of section so of the Act entitled An sioner, Puerto Rico. Act to provide a civil government for Porto Rico, and for other purposes", approved March 2, 1917 (U.S.C., title 48, sec. 891), is hereby amended by striking out the words "fourth of March" and inserting in lieu thereof "3d day of January".

SEC. 6. The Act entitled "An Act providing for the meeting of electors."

Meeting and vote of electors.

electors of President and Vice President and for the issuance and transmission of the certificates of their selection and of the result of their determination, and for other purposes", approved May 29, 1928, is hereby amended as follows:

(a) By striking out the words "first Wednesday in January" in Vol. 45, p. 945. VII, section 1 of such Act (U.S.C., Supp. VII, title 3, sec. 5a) and insert- p. 13. ing in lieu thereof "first Monday after the second Wednesday in

(b) By striking out the words "by the third Wednesday in the month of January" in section 5 of such Act (U.S.C., Supp. VII, title 3, sec. 11b) and inserting in lieu thereof "by the fourth p. 13. U.S.C., Supp. VII, p. 13. Wednesday in December ".

(c) By striking out the words "on the fourth Wednesday of the month of January" in section 6 of such Act (U.S.C., Supp. VII, Usl. 45, p. 947; title 3, sec. 11c) and inserting in lieu thereof "on the fourth p. 13.

Wednesday in December ".

SEC. 7. The first sentence of section 4 of the Act entitled "An Act votes in Congress. to fix the day for the meeting of the electors of President and Vice Vol. 24, p. 373. U.S.C., p. 20. President, and to provide for and regulate the counting of the votes for President and Vice President, and the decision of questions arising thereon", approved February 3, 1887 (U.S.C., title 3, sec. 17), is amended by striking out the words "second" Wednesday in February" and inserting in lieu thereof "sixth day of January".

Approved, June 5, 1934.

Representatives and Delegates to Congress. R.S., sec. 25; U.S.C.,

Senators. Vol. 38, p. 384. U.S.C., p. 3.

[CHAPTER 391.]

AN ACT

June 5, 1934. [S. 3290.] [Public, No. 287.]

To amend an Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932.

District of Columbia. Board of Indeterminate Sentence and Parole. Vol. 47, p. 699.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, be, and the same is hereby, amended by adding a new section to be numbered "10" and to read as follows:

numbered "10" and to read as follows:

Federal Parole
Board.

Authority conferred upon, over U.S. prisoners convicted in the District and confined elsewhere.

Vol. 36, p. 819; Vol. 46, p. 272;
U.S.C., p. 514.

Interior "10" and to read as follows:

"Sec. 10. The Board of Parole created by the Act of Congress on titled 'An Act to amend an Act providing for the parole of United 25, 1910, as amended', approved approved elsewhere.

Way 13, 1930, shall have and exercise the same power and authority over prisoners convicted in the District of Columbia of crimes 46, p. 272;
U.S.C., p. 514.

United States penitentiary or prison (other than the parole institu United States penitentiary or prison (other than the penal institutions of the District of Columbia) as is vested in the Board of Indeterminate Sentence and Parole over prisoners confined in the penal institutions of the District of Columbia."

Approved, June 5, 1934.

[CHAPTER 392.]

AN ACT

June 5, 1934. [H.R. 5477] [Public, No. 288.]

To fix the rates of postage on certain periodicals exceeding eight ounces in weight.

Postal service.
Rate of postage on certain periodicals exceeding 8 ounces in weight.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That publications weighing in excess of eight ounces issued at regular intervals of twelve or more times a year, 25 per centum or more of whose pages are devoted to text or reading matter and not more than 75 per Regulations prescribed.

Regulations to be free, may, upon authorization by the Post Office Department, under such regulations as the Postmaster General may prescribe, be accepted for mailing at the postage rate of 1 cent for each two ounces or fraction thereof, provided the copies of such publications are presented for mailing made up accepted. are presented for mailing made up according to States, cities, and

routes as directed by the Postmaster General. Approved, June 5, 1934.

[CHAPTER 393.]

AN ACT

June 5, 1934. [H.R. 7343.] [Public, No 289.]

To remove inequities in the law governing eligibility for promotion to the position of chief clerk in the Railway Mail Service.

fee. Vol. 37, p. 556. U.S.C., p. 1273.

Be it enacted by the Senate and House of Representatives of the Railway Mail Serv-Vol. 37, p. 556. U.S.C., p. 1273.

**Comprises and Congress assembled, That that part of section 7 of the Act of August 24, 1912 (37 Stat. 556), which comprises section 626 of title 39 of the United States Code, be amended to read as follows:

Provisions governing promotions to positions of chief clerk modified. "Clerks in the highest grade in their respective lines or other assignments shall be eligible for promotion to positions of clerks in charge in said lines or corresponding positions in other assignments, and clerks assigned as assistant chief clerks and clerks in grade 6. or higher rank, in their respective divisions, shall, after one year of continuous service in such capacity, be eligible for promotion to positions of chief clerks in said division for satisfactory, efficient, and faithful service, under such regulations as the Post-master General shall prescribe."

Approved, June 5, 1934.

[CHAPTER 394.]

AN ACT

To amend the Act of Congress approved June 7, 1924, commonly called the _____ "San Carlos Act", and Acts supplementary thereto.

June 5, 1934 [H.R. 8938.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved June 7, 1924 (43 Stat.L. 475, 476), commonly vol. 43, p. 475; vol. called the "San Carlos Act", and Acts supplementary thereto, both and the same are larged with congress approved March 7, 1928 (45 Stat.L.) 210-212), and Acts supplementary thereto, be, and the same are hereby, amended so as to provide that the construction cost of the San Carlos project, including the cost of the power development at the Coolidge Dam and the transmission line or lines shall be repaid without interest, and that part thereof to be paid on account of the Amortization of privately, etc., owned lands in public or private ownership shall be repaid in forty equal lands in 40 annual inannual installments beginning on December 1, 1935, the date fixed by the public notice heretofore issued by the Secretary of the Interior. The Secretary of the Interior, with the consent of the San Carlos Irrigation and Drainage District, is hereby authorized to modify the existing repayment contract in accordance herewith.

Contract modified ac-

Approved, June 5, 1934.

[CHAPTER 404.]

AN ACT

To provide for the regulation of securities exchanges and of over-the-counter markets operating in interstate and foreign commerce and through the mails, to prevent inequitable and unfair practices on such exchanges and markets, and for other purposes.

June 6, 1934 [H.R. 9323.] [Public, No. 291.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—REGULATION OF SECURITIES EXCHANGES

Securities Exchange Act of 1934.

SHORT TITLE

Short title.

Section 1. This Act may be cited as the "Securities Exchange Act of 1934.'

NECESSITY FOR REGULATION AS PROVIDED IN THIS TITLE

Necessity for regulation.

Sec. 2. For the reasons hereinafter enumerated, transactions in securities as commonly conducted upon securities exchanges and over-the-counter markets are affected with a national public interest which makes it necessary to provide for regulation and control of such transactions and of practices and matters related thereto, including transactions by officers, directors, and principal security holders, to require appropriate reports, and to impose requirements necessary to make such regulation and control reasonably complete and effective, in order to protect interstate commerce, the national credit, the Federal taxing power, to protect and make more effective

Declaration of purposes and objects.

86637°-34---56

the national banking system and Federal Reserve System, and to insure the maintenance of fair and honest markets in such transactions:

(1) Such transactions (a) are carried on in large volume by the public generally and in large part originate outside the States in which the exchanges and over-the-counter markets are located and/or are effected by means of the mails and instrumentalities of interstate commerce; (b) constitute an important part of the current of interstate commerce; (c) involve in large part the securities of issuers engaged in interstate commerce; (d) involve the use of credit, directly affect the financing of trade, industry, and transportation in interstate commerce, and directly affect and influence the volume of interstate commerce; and affect the national credit.

(2) The prices established and offered in such transactions are generally disseminated and quoted throughout the United States and foreign countries and constitute a basis for determining and establishing the prices at which securities are bought and sold, the amount of certain taxes owing to the United States and to the several States by owners, buyers, and sellers of securities, and the value of collateral for bank loans.

(3) Frequently the prices of securities on such exchanges and markets are susceptible to manipulation and control, and the dissemination of such prices gives rise to excessive speculation, resulting in sudden and unreasonable fluctuations in the prices of securities which (a) cause alternately unreasonable expansion and unreasonable contraction of the volume of credit available for trade, transportation, and industry in interstate commerce, (b) hinder the proper appraisal of the value of securities and thus prevent a fair calculation of taxes owing to the United States and to the several States by owners, buyers, and sellers of securities, and (c) prevent the fair valuation of collateral for bank loans and/or obstruct the effective operation of the national banking system and Federal Reserve System.

(4) National emergencies, which produce widespread unemployment and the dislocation of trade, transportation, and industry, and which burden interstate commerce and adversely affect the general welfare, are precipitated, intensified, and prolonged by manipulation and sudden and unreasonable fluctuations of security prices and by excessive speculation on such exchanges and markets, and to meet such emergencies the Federal Government is put to such great

expense as to burden the national credit.

Definitions and application of Act.

DEFINITIONS AND APPLICATION OF TITLE

Sec. 3. (a) When used in this title, unless the context otherwise

"Exchange".

(1) The term "exchange" means any organization, association, or group of persons, whether incorporated or unincorporated, which Market place and fa- constitutes, maintains, or provides a market place or facilities for cilities included. bringing together purchasers and sellers of securities or for otherwise performing with respect to securities the functions commonly performed by a stock exchange as that term is generally understood, and includes the market place and the market facilities maintained by such exchange

"Facility."

(2) The term "facility" when used with respect to an exchange includes its premises, tangible or intangible property whether on the premises or not, any right to the use of such premises or property or any service thereof for the purpose of effecting or reporting a transaction on an exchange (including, among other things, any

system of communication to or from the exchange, by ticker or otherwise, maintained by or with the consent of the exchange), and any right of the exchange to the use of any property or service.

(3) The term "member" when used with respect to an exchange means any person who is permitted either to effect transactions on the exchange without the services of another person acting as broker, or to make use of the facilities of an exchange for transactions thereon without payment of a commission or fee or with the payment of a commission or fee which is less than that charged the general public, and includes any firm transacting a business as broker or dealer of which a member is a partner, and any partner of any

(4) The term "broker" means any person engaged in the business of effecting transactions in securities for the account of others, but does not include a bank.

(5) The term "dealer" means any person engaged in the business of buying and selling securities for his own account, through a broker or otherwise, but does not include a bank, or any person insofar as he buys or sells securities for his own account, either individually or in some fiduciary capacity, but not as a part of a regular business

(6) The term "bank" means (A) a banking institution organized under the laws of the United States, (B) a member bank of the Federal Reserve System, (C) any other banking institution, whether incorporated or not, doing business under the laws of any State or of the United States, a substantial portion of the business of which consists of receiving deposits or exercising fiduciary powers similar to those permitted to national banks under section 11(k) of the Federal Reserve Act, as amended, and which is supervised and examined by State or Federal authority having supervision over banks, and which is not operated for the purpose of evading the provisions of this title, and (D) a receiver, conservator, or other liquidating agent of any institution or firm included in clauses (A), (B), or (C) of this paragraph.

(7) The term "director" means any director of a corporation or

any person performing similar functions with respect to any organi-

zation, whether incorporated or unincorporated.

(8) The term "issuer" means any person who issues or proposes to issue any security; except that with respect to certificates of deposit for securities, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors or of the fixed, restricted management, or unit type, the term "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which such securities are issued; and except that with respect to equipment-trust certificates or like securities, the term "issuer" means the person by whom the equipment or property is, or is to be, used.
(9) The term "person" means an individual, a corporation, a

partnership, an association, a joint-stock company, a business trust,

or an unincorporated organization.
(10) The term "security" means any note, stock, treasury stock, bond, debenture, certificate of interest or participation in any profitsharing agreement or in any oil, gas, or other mineral royalty or lease, any collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate, certificate of deposit, for a security, or in general, any instrument commonly known as a "security"; or any certificate of

"Member."

"Broker"

"Dealer."

Exclusions.

"Bank."

Trusteeships. Vol. 38, p. 262. U.S.C., p. 276.

"Director."

"Issuer."

Qualifying provi-

"Person."

"Security."

interest or participation in, temporary or interim certificate for, receipt for, or warrant or right to subscribe to or purchase, any of the foregoing; but shall not include currency or any note, draft, bill of exchange, or banker's acceptance which has a maturity at the time of issuance of not exceeding nine months, exclusive of days of grace, or any renewal thereof the maturity of which is likewise

"Equity security."

(11) The term "equity security" means any stock or similar security; or any security convertible, with or without consideration, into such a security, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the Commission shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as it may prescribe in the public interest or for the protection of investors, to treat as an equity security.

"Exempted security" or "exempted rity'' or ' securities.''

(12) The term "exempted security" or "exempted securities" shall include securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States; such securities issued or guaranteed by corporations in which the United States has a direct or indirect interest as shall be designated for exemption by the Secretary of the Treasury as necessary or appropriate in the public interest or for the protection of investors; securities which are direct obligations of or obligations guaranteed as to principal or interest by a State or any political subdivision thereof or any agency or instrumentality of a State or any political subdivision thereof or any municipal corporate instrumentality of one or more States; and such other securities (which may include, among others, unregistered securities, the market in which is predominantly intrastate) as the Commission may, by such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors, either unconditionally or upon specified terms and conditions or for stated periods, exempt from the operation of any one or more provisions of this title which by their terms do not apply to an "exempted security" or to "exempted securities."
(13) The terms "buy" and "purchase" each include any contract

to buy, purchase, or otherwise acquire.
(14) The terms "sale" and "sell" each include any contract to sell or otherwise dispose of.

(15) The term "Commission" means the Securities and Exchange

Commission established by section 4 of this title.

(16) The term "State" means any State of the United States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Philippine Islands, the Canal Zone, the Virgin Islands, or any other possession

"Interstate com-

of the United States.

(17) The term "interstate commerce" means trade, commerce,

several States, or transportation, or communication among the several States, or between any foreign country and any State, or between any State and any place or ship outside thereof.

(b) The Commission and the Federal Reserve Board, as to matters

Authority conferred to define accounting, technical, and trade within their respective jurisdictions, shall have power by rules and regulations to define technical, trade, and accounting terms used

in this title insofar as such definitions are not inconsistent with the provisions of this title.

(c) No provision of this title shall apply to, or be deemed to include, any executive department or independent establishment of the United States, or any lending agency which is wholly owned, directly or indirectly, by the United States, or any officer, agent, or employee of any such department, establishment, or agency, acting in the course of his official duty as such, unless such provision makes specific reference to such department, establishment, or agency.

"Buy" and "pur-

"Sale" and "sell."

"Commission."

"State."

Inapplicable to Federal agencies, not spe-cifically provided for.

SECURITIES AND EXCHANGE COMMISSION

Sec. 4. (a) There is hereby established a Securities and Exchange position, etc. Commission (hereinafter referred to as the "Commission") to be composed of five commissioners to be appointed by the President by and with the advice and consent of the Senate. Not more than three of such commissioners shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable. No commissioner shall engage in any other business, vocation, other employment, or employment than that of serving as commissioner, nor shall any forbidden. commissioner participate, directly or indirectly, in any stock-market operations or transactions of a character subject to regulation by the Commission pursuant to this title. Each commissioner shall receive a salary at the rate of \$10,000 a year and shall hold office Salary, term of office, for a term of five years expected that (1) any commissioner appointed filling vacancies, etc. for a term of five years, except that (1) any commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term, and (2) the terms of office of the commissioners first taking office after the date of enactment of this title shall expire, as designated by the President at the time of nomination, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years, after the date of enactment of this title.

(b) The Commission is authorized to appoint and fix the com-

pensation of such officers, attorneys, examiners, and other experts perts, etc. as may be necessary for carrying out its functions under this Act, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, and the Commission may, subject to the civil-service laws, appoint such other officers and employees as are necessary in the execution of its functions and fix their salaries in accordance

with the Classification Act of 1923, as amended.

TRANSACTIONS ON UNREGISTERED EXCHANGES

SEC. 5. It shall be unlawful for any broker, dealer, or exchange, Use of mails or indirectly or indirectly, to make use of the mails or any means or state commerce in seinstrumentality of interstate commerce for the purpose of using any unlawful. facility of an exchange within or subject to the jurisdiction of the United States to effect any transaction in a security, or to report any such transaction, unless such exchange (1) is registered as a national securities exchange under section 6 of this title, or (2) is exempted from such registration upon application by the exchange Ex because, in the opinion of the Commission, by reason of the limited volume of transactions effected on such exchange, it is not practicable and not necessary or appropriate in the public interest or for the protection of investors to require such registration.

REGISTRATION OF NATIONAL SECURITIES EXCHANGES

Sec. 6. (a) Any exchange may be registered with the Commission as a national securities exchange under the terms and conditions hereinafter provided in this section, by filing a registration state-ment in such form as the Commission may prescribe, containing the ment; documents to agreements, setting forth the information, and accompanied by the documents, below specified:

(1) An agreement (which shall not be construed as a waiver of any constitutional right or any right to contest the validity of any rule or regulation) to comply, and to enforce so far as is within its

Securities and Exchange Commission.

Political division.

Employees. Vol. 46, p. 1003.

Unregistered exchanges

Exemptions author-

Registration of na-onal securities extional securities changes.

Requirements.

powers compliance by its members, with the provisions of this title, and any amendment thereto and any rule or regulation made or to be made thereunder;

(2) Such data as to its organization, rules of procedure, and membership, and such other information as the Commission may by rules and regulations require as being necessary or appropriate in the public interest or for the protection of investors;

(3) Copies of its constitution, articles of incorporation with all amendments thereto, and of its existing bylaws or rules or instruments corresponding thereto, whatever the name, which are hereinafter collectively referred to as the "rules of the exchange"; and
(4) An agreement to furnish to the Commission copies of any

amendments to the rules of the exchange forthwith upon their

adoption.

Disciplinary provisions in rules of exchange.

Adoption of tional rules b change.

addi-

bу

(b) No registration shall be granted or remain in force unless the rules of the exchange include provision for the expulsion, suspension, or disciplining of a member for conduct or proceeding inconsistent with just and equitable principles of trade, and declare that the willful violation of any provisions of this title or any rule or regulation thereunder shall be considered conduct or proceeding inconsistent with just and equitable principles of trade.

(c) Nothing in this title shall be construed to prevent any exchange from adopting and enforcing any rule not inconsistent with this title and the rules and regulations thereunder and the applicable laws of

the State in which it is located.

(d) If it appears to the Commission that the exchange applying for registration is so organized as to be able to comply with the provisions of this title and the rules and regulations thereunder and that the rules of the exchange are just and adequate to insure fair dealing and to protect investors, the Commission shall cause such

exchange to be registered as a national securities exchange.

(e) Within thirty days after the filing of the application, the Commission shall enter an order either granting or, after appropri-Hearing when de ate notice and opportunity for hearing, denying registration as a national securities exchange, unless the exchange applying for registration shall withdraw its application or consent to the Commission's deferring action on its application for a stated longer period after Filing application the date of filing. The filing with the Commission of an application deemed date of receipt.

Amendments per- for registration by an exchange shall be deemed to have taken place mitted. upon the receipt thereof. Amendments to an application may be made upon such terms as the Commission may prescribe.

(f) An exchange may, upon appropriate application in accordance with the rules and regulations of the Commission, and upon such terms as the Commission may deem necessary for the protection of

investors, withdraw its registration.

Order to be made within 30 days.

Commission authority to grant registration.

Withdrawal of registration by exchange

Margin require-

MARGIN REQUIREMENTS

Rules governing amount of credit on credit for the purchase or carrying of securities, the Federal Reserve be prescribed.

Sec. 7. (a) For the purpose of preventing the excessive use of credit for the purchase or carrying of securities, the Federal Reserve Board shall prior to the effective date of this section and from time Board shall, prior to the effective date of this section and from time to time thereafter, prescribe rules and regulations with respect to the amount of credit that may be initially extended and subsequently maintained on any security (other than an exempted security) regis-Marginal require- tered on a national securities exchange. For the initial extension of ment standard. credit, such rules and regulations shall be based upon the following standard: An amount not greater than whichever is the higher of-

(1) 55 per centum of the current market price of the security, or

(2) 100 per centum of the lowest market price of the security during the preceding thirty-six calendar months, but not more than 75 per centum of the current market price.

Such rules and regulations may make appropriate provision with Rules governing unrespect to the carrying of undermargined accounts for limited withdrawals, etc. periods and under specified conditions; the withdrawal of funds or securities; the substitution or additional purchases of securities; the transfer of accounts from one lender to another; special or different margin requirements for delayed deliveries, short sales, arbitrage Delayed deliveries, short sales, etc. transactions, and securities to which paragraph (2) of this subsection does not apply; the bases and the methods to be used in calculating loans, and margins and market prices; and similar administrative adjustments and details. For the purposes of paragraph (2) of this subsection, until July 1, 1936, the lowest price Determining lowest at which a security has sold on or after July 1, 1933, shall be considered as the lowest price at which such security has sold during the preceding thirty-six calendar months.

(b) Notwithstanding the provisions of subsection (a) of this Departure from marsection, the Federal Reserve Board, may, from time to time, with Standard permitted. respect to all or specified securities or transactions, or classes of securities, or classes of transactions, by such rules and regulations (1) prescribe such lower margin requirements for the initial extension or maintenance of credit as it deems necessary or appropriate for the accommodation of commerce and industry, having due regard to the general credit situation of the country, and (2) prescribe such higher margin requirements for the initial extension or maintenance of credit as it may deem necessary or appropriate to prevent the excessive use of credit to finance transactions in securities.

(c) It shall be unlawful for any member of a national securities Unlawful credit exechange or any broker or dealer who transacts a business in securities. Unlawful credit extensions, etc., to customer. ties through the medium of any such member, directly or indirectly to extend or maintain credit or arrange for the extension or maintenance of credit to or for any customer-

(1) On any security (other than an exempted security) registered on a national securities exchange, in contravention of the rules and regulations which the Federal Reserve Board shall prescribe under subsections (a) and (b) of this section.

(2) Without collateral or on any collateral other than exempted regulations Federal securities and/or securities registered upon a national securities Reserve Board may prescribe. exchange, except in accordance with such rules and regulations as the Federal Reserve Board may prescribe (A) to permit under specified conditions and for a limited period any such member, broker, or dealer to maintain a credit initially extended in conformity with the rules and regulations of the Federal Reserve Board, and (B) to permit the extension or maintenance of credit in cases where the extension or maintenance of credit is not for the purpose of purchasing or carrying securities or of evading or circumventing the provisions of paragraph (1) of this subsection.

(d) It shall be unlawful for any person not subject to subsection Regulations by Board to prevent eva-(c) to extend or maintain credit or to arrange for the extension or sion of provisions. maintenance of credit for the purpose of purchasing or carrying any security registered on a national securities exchange, in contravention of such rules and regulations as the Federal Reserve Board shall prescribe to prevent the excessive use of credit for the purchasing or carrying of or trading in securities in circumvention of the other provisions of this section. Such rules and regulations may May impose limitations on loans for purimpose upon all loans made for the purpose of purchasing or carry-chasing, etc., registered ing securities registered on national securities exchanges limitations

Loans to which regu-lations not applicable.

similar to those imposed upon members, brokers, or dealers by subsection (c) of this section and the rules and regulations thereunder. This subsection and the rules and regulations thereunder shall not apply (A) to a loan made by a person not in the ordinary course of his business, (B) to a loan on an exempted security, (C) to a loan to a dealer to aid in the financing of the distribution of securities to customers not through the medium of a national securities exchange, (D) to a loan by a bank on a security other than an equity security, or (E) to such other loans as the Federal Reserve Board shall, by such rules and regulations as it may deem necessary or appropriate in the public interest or for the protection of investors, exempt, either unconditionally or upon specified terms and conditions or for stated periods, from the operation of this subsection and the rules and regulations thereunder.

When section and regulations thereunder shall apply.

(e) The provisions of this section or the rules and regulations thereunder shall not apply on or before July 1, 1937, to any loan or extension of credit made prior to the enactment of this title or to the maintenance, renewal, or extension of any such loan or credit, except to the extent that the Federal Reserve Board may by rules and regulations prescribe as necessary to prevent the circumvention of the provisions of this section or the rules and regulations thereunder by means of withdrawals of funds or securities, substitutions of securities, or additional purchases or by any other device.

Restriction on borrowing by members, brokers, and dealers.

RESTRICTIONS ON BORROWING BY MEMBERS, BROKERS, AND DEALERS

SEC. 8. It shall be unlawful for any member of a national securities exchange, or any broker or dealer who transacts a business in securities through the medium of any such member, directly or indirectly-

Loans through Federal Reserve banks

Ante, p. 162.

Loans under regula-tions of Board.

Nature of agreement.

Post, pp. 899, 901.

(a) To borrow in the ordinary course of business as a broker or dealer on any security (other than an exempted security) registered on a national securities exchange except (1) from or through a Nonmember banks; member bank of the Federal Reserve System, (2) from any non-member bank which shall have filed with the Federal Reserve Board an agreement, which is still in force and which is in the form prescribed by the Board, undertaking to comply with all provisions of this Act, the Federal Reserve Act, as amended, and the Banking Act of 1933, which are applicable to member banks and which relate to the use of credit to finance transactions in securities, and with such rules and regulations as may be prescribed pursuant to such provisions of law or for the purpose of preventing evasions thereof, or (3) in accordance with such rules and regulations as the Federal Reserve Board may prescribe to permit loans between such members and/or brokers and/or dealers, or to permit loans to meet emergency needs. Any such agreement filed with the Federal Reserve Board shall be subject to termination at any time by order of the Board, after appropriate notice and opportunity for hearing, because of any failure by such bank to comply with the provisions thereof or with such provisions of law or rules or regulations; and, for any willful violation of such agreement, such bank shall be subject to the penalties provided for violations of rules and regulations prescribed under this title. The provisions of sections 21 and 25 of this title shall apply in the case of any such proceeding or order of the Federal Reserve Board in the same manner as such provisions apply in the case of proceedings and orders of the Commission.

(b) To permit in the ordinary course of business as a broker his aggregate indebtedness to all other persons, including customers'

Limitation on aggregate indebtedness of broker.

credit balances (but excluding indebtedness secured by exempted securities), to exceed such percentage of the net capital (exclusive of fixed assets and value of exchange membership) employed in the business, but not exceeding in any case 2.000 per centum, as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors.

(c) In contravention of such rules and regulations as the Commission shall prescribe for the protection of investors to hypothecate ties, without written or arrange for the hypothecation of any securities carried for the consent, unlawful. account of any customer under circumstances (1) that will permit the commingling of his securities without his written consent with the securities of any other customer, (2) that will permit such securities to be commingled with the securities of any person other than a bona fide customer, or (3) that will permit such securities to be hypothecated, or subjected to any lien or claim of the pledgee, for amount greater for a sum in excess of the aggregate indebtedness of such customers debtedness.

(d) To lend or arrange for the lending of any securities carried Lendin securities for the account of any customer without the written consent of such customer.

Commingling of cus-

Lending customer's

PROHIBITION AGAINST MANIPULATION OF SECURITY PRICES

Sec. 9. (a) It shall be unlawful for any person, directly or indirectly, by the use of the mails or any means or instrumentality of interstate commerce, or of any facility of any national securities exchange, or for any member of a national securities exchange-

(1) For the purpose of creating a false or misleading appearance transactions of active trading in any security registered on a national securities involving no change in beneficial ownership of exchange, or a false or misleading appearance with respect to the security. market for any such security, (A) to effect any transaction in such security which involves no change in the beneficial ownership thereof, or (B) to enter an order or orders for the purchase of such security with the knowledge that an order or orders of substantially the same size, at substantially the same time, and at substantially the same price, for the sale of any such security, has been or will be entered by or for the same or different parties, or (C) to enter any order or orders for the sale of any such security with the knowledge that an order or orders of substantially the same size, at substantially the same time, and at substantially the same price, for the purchase of such security, has been or will be entered by or for the same or different parties.

(2) To effect, alone or with one or more other persons, a series Effect transactions to fraise or depress secuexchange creating actual or apparent active trading in such security or raising or depressing the price of such security, for the purpose of inducing the purchase or sale of such security by others.

(3) If a dealer or broker, or other person selling or offering for (3) If a dealer or broker, or other person selling or offering for Circulate talse inforsale or purchasing or offering to purchase the security, to induce the ket operations to interpret the security of the control o purchase or sale of any security registered on a national securities duce sale or purchase. exchange by the circulation or dissemination in the ordinary course of business of information to the effect that the price of any such security will or is likely to rise or fall because of market operations of any one or more persons conducted for the purpose of raising or depressing the prices of such security.

(4) If a dealer or broker, or other person selling or offering for Make false statement sale or purchasing or offering to purchase the security, to make, regarding any security registered on a national securities exchange, for the purpose of inducing the purchase or sale of such security,

Prohibition against manipulation of security prices. Unlawful acts.

Enter matched pur-chase order.

Sale order.

any statement which was at the time and in the light of the circumstances under which it was made, false or misleading with respect to any material fact, and which he knew or had reasonable ground to believe was so false or misleading.

Circulate, for a consideration, predictions of price changes.

(5) For a consideration, received directly or indirectly from a dealer or broker, or other person selling or offering for sale or purchasing or offering to purchase the security, to induce the purchase or sale of any security registered on a national securities exchange by the circulation or dissemination of information to the effect that the price of any such security will or is likely to rise or fall because of the market operations of any one or more persons conducted for the purpose of raising or depressing the price of such security.

Pegging of security prices in contravention of regulations.

(6) To effect either alone or with one or more other persons any series of transactions for the purchase and/or sale of any security registered on a national securities exchange for the purpose of pegging, fixing, or stabilizing the price of such security in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

Effect transactions in connection with options, etc., on exchange.

(b) It shall be unlawful for any person to effect, by use of any facility of a national securities exchange, in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors—

(1) any transaction in connection with any security whereby any party to such transaction acquires any put, call, straddle, or other option or privilege of buying the security from or selling the security to another without being bound to do so; or

(2) any transaction in connection with any security with relation to which he has, directly or indirectly, any interest in any such put,

call, straddle, option, or privilege; or

(3) any transaction in any security for the account of any person who he has reason to believe has, and who actually has, directly or indirectly, any interest in any such put, call, straddle, option, or

privilege with relation to such security.

(c) It shall be unlawful for any member of a national securities exchange directly or indirectly to endorse or guarantee the performance of any put, call, straddle, option, or privilege in relation to any security registered on a national securities exchange, in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection

of investors.

(d) The terms "put", "call", "straddle", "option", or "privilege" as used in this section shall not include any registered war-

rant, right, or convertible security.

(e) Any person who willfully participates in any act or transaction in violation of subsection (a), (b), or (c) of this section, shall be liable to any person who shall purchase or sell any security at a price which was affected by such act or transaction, and the person so injured may sue in law or in equity in any court of competent jurisdiction to recover the damages sustained as a result of any such act or transaction. In any such suit the court may, in its discretion, require an undertaking for the payment of the costs of such suit, and assess reasonable costs, including reasonable attorneys' fees, against either party litigant. Every person who becomes liable to make any payment under this subsection may recover contribution as in cases of contract from any person who, if joined in the original suit, would have been liable to make the same payment. No action shall be maintained to enforce any liability created under this section,

Rules governing guarantee of options may be prescribed.

Registered warrants, right, convertible security.

Liability of person who willfully participates in prohibited practices.

unless brought within one year after the discovery of the facts constituting the violation and within three years after such violation.

(f) The provisions of this section shall not apply to an exempted security.

Provisions not appli-cable to exempted se-

REGULATION OF THE USE OF MANIPULATIVE AND DECEPTIVE DEVICES

SEC. 10. It shall be unlawful for any person, directly or indirectly, by the use of any means or instrumentality of interstate commerce or of the mails, or of any facility of any national securities exchange-

in connection with the purchase or sale, of any security registered on a national securities exchange, in contravention of such rules and ulations. regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

(b) To use or employ, in connection with the purchase or sale of Employ any other any security registered on a national securities exchange or any tive device, etc. security not so registered, any manipulative or deceptive device or contrivance in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

curities.

Regulation of the use of manipulative deceptive devices. Unlawful acts.

SEGREGATION AND LIMITATION OF FUNCTIONS OF MEMBERS, BROKERS, Segregation and limitation of functions of members, brokers, and dealers.

Sec. 11. (a) The Commission shall prescribe such rules and regu- Rules and regulalations as it deems necessary or appropriate in the public interest or for the protection of investors, (1) to regulate or prevent floor trading by members of national securities exchanges, directly or indirectly for their own account or for discretionary accounts, and (2) to prevent such excessive trading on the exchange but off the To prevent excessive floor by members, directly or indirectly for their own account, as the floor. Commission may deem detrimental to the maintenance of a fair and orderly market. It shall be unlawful for a member to effect any orderly market. It shall be unlawful for a member to effect any Security transactions transaction in a security in contravention of such rules and regula- ulations, unlawful. tions, but such rules and regulations may make such exemptions for ulations authorized. arbitrage transactions, for transactions in exempted securities, and, within the limitations of subsection (b) of this section, for transactions by odd-lot dealers and specialists, as the Commission may deem necessary or appropriate in the public interest or for the protection of investors.

(b) When not in contravention of such rules and regulations as Registration of oddthe Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, the rules of a national securities exchange may permit (1) a member to be registered as an odd-lot dealer and as such to buy and sell for his own account so far as may be reasonably necessary to carry on such odd-lot transactions, and/or (2) a member to be registered as a specialist. Special imited. If under the rules and regulations of the Commission a specialist is permitted to act as a dealer, or is limited to acting as a dealer, such rules and regulations shall restrict his dealings so far as practicable to those reasonably necessary to permit him to maintain a fair and orderly market, and/or to those necessary to permit him to act as an odd-lot dealer if the rules of the exchange permit him to act as an odd-lot dealer. It shall be unlawful for a specialist or an Revealing orders to official of the exchange to disclose information in regard to orders cialist, etc. placed with such specialist which is not available to all members of the exchange, to any person other than an official of the exchange, a representative of the Commission, or a specialist who may be acting for such specialist; but the Commission shall have power to require

Floor trading.

Exemptions from reg-

Specialists; dealings

Revealing orders to

Powers as a broker

Commission may ex-empt small exchange from prescribed provisions.

Dealer-broker. Limitation on functions of.

Proviso.
Credit not deemed extended by reason of delayed delivery.

Disclosure of broker's

Study of complete segregation of dealer-broker functions to be

Registration require-ments for securities.

Transactions in un-registered securities un-lawful; exempted secu-

Registration applica-

Detailed information

disclosure to all members of the exchange of all orders placed with specialists, under such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors. It shall also be unlawful for a specialist acting as a broker to effect on the exchange any transaction except upon a market or limited price order.

(c) If because of the limited volume of transactions effected on an exchange, it is in the opinion of the Commission impracticable and not necessary or appropriate in the public interest or for the protection of investors to apply any of the foregoing provisions of this section or the rules and regulations thereunder, the Commission shall have power, upon application of the exchange and on a showing that the rules of such exchange are otherwise adequate for the protection of investors, to exempt such exchange and its members from any such

provision or rules and regulations.

(d) It shall be unlawful for a member of a national securities exchange who is both a dealer and a broker, or for any person who both as a broker and a dealer transacts a business in securities through the medium of a member or otherwise, to effect through the use of any facility of a national securities exchange or of the mails or of any means or instrumentality of interstate commerce, or otherwise in the case of a member, (1) any transaction in connection with which, directly or indirectly, he extends or maintains or arranges for the extension or maintenance of credit to or for a customer on any security (other than an exempted security) which was a part of a new issue in the distribution of which he participated as a member of a selling syndicate or group within six months prior to such transaction: *Provided*, That credit shall not be deemed extended by reason of a bona fide delayed delivery of any such security against full payment of the entire purchase price thereof upon such delivery within thirty-five days after such purchase, or (2) any transaction with respect to any security (other than an exempted security) unless, if the transaction is with a customer, he discloses to such customer in writing at or before the completion of the transaction whether he is acting as a dealer for his own account, as a broker for such customer, or as a broker for some other person.

(e) The Commission is directed to make a study of the feasibility and advisability of the complete segregation of the functions of dealer and broker, and to report the results of its study and its recommendations to the Congress on or before January 3, 1936.

REGISTRATION REQUIREMENTS FOR SECURITIES

Sec. 12. (a) It shall be unlawful for any member, broker, or dealer to effect any transaction in any security (other than an exempted security) on a national securities exchange unless a registration is effective as to such security for such exchange in accordance with the provisions of this title and the rules and regulations thereunder.

(b) A security may be registered on a national securities exchange by the issuer filing an application with the exchange (and filing with the Commission such duplicate originals thereof as the Com-

mission may require), which application shall contain—
(1) Such information, in such detail, as to the issuer and any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, the issuer, and any guarantor of the security as to principal or interest or both, as the Commission may by rules and regulations require, as necessary or appropriate in

the public interest or for the protection of investors, in respect of the following:

(A) the organization, financial structure and nature of the business;

(B) the terms, position, rights, and privileges of the different classes of securities outstanding;

(C) the terms on which their securities are to be, and during the preceding three years have been, offered to the public or

(D) the directors, officers, and underwriters, and each security holder of record holding more than 10 per centum of any class of any equity security of the issuer (other than an exempted security), their remuneration and their interests in the securities of, and their material contracts with, the issuer and any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, the issuer;

(E) remuneration to others than directors and officers exceed-

ing \$20,000 per annum;

(F) bonus and profit-sharing arrangements; (G) management and service contracts;

(H) options existing or to be created in respect of their securities:

(I) balance sheets for not more than the three preceding fiscal years, certified if required by the rules and regulations of

the Commission by independent public accountants;

(J) profit and loss statements for not more than the three preceding fiscal years, certified if required by the rules and regulations of the Commission by independent public accountants; and

(K) any further financial statements which the Commission may deem necessary or appropriate for the protection of

investors.

(2) Such copies of articles of incorporation, bylaws, trust indenfiled with Commission. tures, or corresponding documents by whatever name known, underwriting arrangements, and other similar documents of, and voting trust agreements with respect to, the issuer and any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, the issuer as the Commission may require as necessary or appropriate for the proper protection of investors and to insure fair dealing in the security.

(c) If in the judgment of the Commission any information required under subsection (b) is inapplicable to any specified class or classes of issuers, the Commission shall require in lieu thereof the submission of such other information of comparable character

as it may deem applicable to such class of issuers.

(d) If the exchange authorities certify to the Commission that the 30 days after receipt of security has been approved by the exchange for listing and registra. exchange certificate. tion, the registration shall become effective thirty days after the receipt of such certification by the Commission or within such shorter period of time as the Commission may determine. A security registratered with a national securities exchange may be withdrawn or notice. stricken from listing and registration in accordance with the rules of the exchange and, upon such terms as the Commission may deem necessary to impose for the protection of investors, upon application by the issuer or the exchange to the Commission; whereupon the issuer shall be relieved from further compliance with the provisions of this section and section 13 of this title and any rules or regulations under such sections as to the securities so withdrawn or stricken

Further information.

Issuer may cancel registration on 30 days'

Post, p. 894.

Registration of un-

An unissued security may be registered only in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors. Such rules and regulations shall limit the registration of an unissued security to cases where such security is a right or the subject of a right to subscribe or otherwise acquire such security granted to holders of a previously registered security and where the primary purpose of such registration is to distribute such unissued security to such holders.

Registration of secu-rities listed on national exchanges.

(e) Notwithstanding the foregoing provisions of this section, the Commission may by such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors permit securities listed on any exchange at the time the registration of such exchange as a national securities exchange becomes effective, to be registered for a period ending not later than July 1, 1935, without complying with the provisions of this section.

Trading in unlisted securities; study and

rity.

(f) The Commission is directed to make a study of trading in unlisted securities upon exchanges and to report the results of its study and its recommendations to Congress on or before January 3, Authority of Commission to allow; application of national exchange.

Authority of Commission to allow; application of national exchange.

Surry or appropriate for the commission as it deems necessary or appropriate for the commission as it deems necessary or appropriate for the commission as it deems necessary or appropriate for the commission as it deems necessary or appropriate for the commission as it deems necessary or appropriate for the commission as it deems necessary or appropriate for the commission to congress on or before January 3, 1936. sary or appropriate for the protection of investors, prescribe terms and conditions under which, upon the application of any national securities exchange, such exchange (1) may continue until June 1, 1936, unlisted trading privileges to which a security had been admitted on such exchange prior to March 1, 1934, and for such purpose exempt such security and the issuer thereof from the provisions of this section and sections 13 and 16, or (2) may extend until July 1, 1935, unlisted trading privilege to any security registered on any other national securities exchange which security was listed on such Status of such secu- other exchange on March 1, 1934. A security for which unlisted trading privileges are so continued shall be considered a "security registered on a national securities exchange" within the meaning of this title. The rules and regulations of the Commission relating to such unlisted trading privileges for securities shall require that quotations of transactions upon any national securities exchange shall clearly indicate the difference between fully listed securities and securities admitted to unlisted trading privileges only.

Periodical and other

PERIODICAL AND OTHER REPORTS

Filing by issuer of security, required.

Sec. 13. (a) Every issuer of a security registered on a national securities exchange shall file the information, documents, and reports below specified with the exchange (and shall file with the Commission such duplicate originals thereof as the Commission may require), in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate for the proper protection of investors and to insure fair dealing in the security

(1) Such information and documents as the Commission may require to keep reasonably current the information and documents

filed pursuant to section 12.

(2) Such annual reports, certified if required by the rules and regulations of the Commission by independent public accountants, and such quarterly reports, as the Commission may prescribe.

Form of reports.

(b) The Commission may prescribe, in regard to reports made pursuant to this title, the form or forms in which the required information shall be set forth, the items or details to be shown in the

balance sheet and the earning statement, and the methods to be Financial state-followed in the preparation of reports, in the appraisal or valuation preparation, calcula-of assets and liabilities in the determination of depreciation and tion, etc. of assets and liabilities, in the determination of depreciation and depletion, in the differentiation of recurring and nonrecurring income, in the differentiation of investment and operating income, and in the preparation, where the Commission deems it necessary or desirable, of separate and/or consolidated balance sheets or income accounts of any person directly or indirectly controlling or controlled by the issuer, or any person under direct or indirect common control with the issuer; but in the case of the reports of any person whose methods of accounting are prescribed under the provisions of any law of the United States, or any rule or regulation thereunder, the rules and regulations of the Commission with respect to reports shall not be inconsistent with the requirements imposed by such law or rule or regulation in respect of the same subject matter, and, in the case of carriers subject to the provisions of section 20 of the Interstate Commerce Act, as amended, or carriers required pursuant to any other Act of Congress to make reports of the same general character as those required under such section 20, shall per-publicate reports, mit such carriers to file with the Commission and the exchange Commission. duplicate copies of the reports and other documents filed with the Interstate Commerce Commission, or with the governmental authority administering such other Act of Congress, in lieu of the reports, information and documents required under this section and section 12 in respect of the same subject matter.

(c) If in the judgment of the Commission any report required under subsection (a) is inapplicable to any specified class or classes if reports inapplicable. of issuers, the Commission shall require in lieu thereof of the submission of such reports of comparable character as it may deem applica-

ble to such class or classes of issuers.

Conflict with any law precluded.

Post, p. 899.

Common carriers.

Additional informa-

PROXIES Proxies.

Sec. 14. (a) It shall be unlawful for any person, by the use of the mails or by any means or instrumentality of interstate commerce or prohibited. of any facility of any national securities exchange or otherwise to solicit or to permit the use of his name to solicit any proxy or consent or authorization in respect of any security (other than an exempted security) registered on any national securities exchange in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

protection of investors.

(b) It shall be unlawful for any member of a national securities of registered seexchange or any broker or dealer who transacts a business in securtive carried for customer, by member, problems of any customer o ities through the medium of any such member to give a proxy, con- hibited. sent, or authorization in respect of any security registered on a national securities exchange and carried for the account of a customer in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public inter-

est or for the protection of investors.

Solicitation of, in ontravention of rules,

OVER-THE-COUNTER MARKETS

SEC. 15. It shall be unlawful, in contravention of such rules and regulations as the Commission may prescribe as necessary or approrate in the public interest and to insure to investors protection comparable to that provided by and under authority of this title in the case of national securities exchanges, (1) for any broker or dealer, singly or with any other person or persons, to make use of the

Over-the-counter markets.

mails or any means or instrumentality of interstate commerce for the purpose of making or creating, or enabling another to make or create, a market, otherwise than on a national securities exchange, for both the purchase and sale of any security (other than an exempted security or commercial paper, bankers' acceptances, or commercial bills, or unregistered securities the market in which is predominantly intrastate and which have not previously been registered or listed), or (2) for any broker or dealer to use any facility of any such market. Such rules and regulations may provide for the regulation of all transactions by brokers and dealers on any such market, for the registration with the Commission of dealers and/or brokers making or creating such a market, and for the registration of the securities for which they make or create a market and may make special provision with respect to securities or specified classes thereof listed, or entitled to unlisted trading privileges, upon any exchange on the date of the enactment of this title, which securities are not registered under the provisions of section 12 of this title.

Registration of dealers or brokers; regula-tion of transactions; se-curities traded.

Regulation of securities already listed, etc.

DIRECTORS, OFFICERS, AND PRINCIPAL STOCKHOLDERS

Directors, officers, and principal stock-holder of issuer of reg-istered equity security. Statements to be filed

Monthly reports of changes in ownership.

Information as to profits realized made available to issuer.

Suit to recover profit.

empted

Sec. 16. (a) Every person who is directly or indirectly the beneficial owner of more than 10 per centum of any class of any equity security (other than an exempted security) which is registered on a national securities exchange, or who is a director or an officer of the issuer of such security, shall file, at the time of the registration of such security or within ten days after he becomes such beneficial owner, director, or officer, a statement with the exchange (and a duplicate original thereof with the Commission) of the amount of all equity securities of such issuer of which he is the beneficial owner, and within ten days after the close of each calendar month thereafter, if there has been any change in such ownership during such month, shall file with the exchange a statement (and a duplicate original thereof with the Commission) indicating his ownership at the close of the calendar month and such changes in his ownership as have occurred during such calendar month.

(b) For the purpose of preventing the unfair use of information which may have been obtained by such beneficial owner, director, or officer by reason of his relationship to the issuer, any profit realized by him from any purchase and sale, or any sale and purchase, of any equity security of such issuer (other than an exempted security) within any period of less than six months, unless such security was acquired in good faith in connection with a debt previously contracted, shall inure to and be recoverable by the issuer, irrespective of any intention on the part of such beneficial owner, director, or officer in entering into such transaction of holding the security purchased or of not repurchasing the security sold for a period exceeding six months. Suit to recover such profit may be instituted at law or in equity in any court of competent jurisdiction by the issuer, or by the owner of any security of the issuer in the name and in behalf of the issuer if the issuer shall fail or refuse to bring such suit within sixty days after request or shall fail diligently to prosecute the same thereafter; but no such suit shall be brought more than two years after the date such profit was realized. Transactions ex This subsection shall not be construed to cover any transaction where such beneficial owner was not such both at the time of the purchase and sale, or the sale and purchase, of the security involved, or any transaction or transactions which the Commission by rules and regulations may exempt as not comprehended within the purpose of this subsection.

(c) It shall be unlawful for any such beneficial owner, director, Directors, etc., for or officer, directly or indirectly, to sell any equity security of such security short, or for issuer (other than an exempted security) if the person selling the delivery after 20 days. issuer (other than an exempted security), if the person selling the security or his principal (1) does not own the security sold, or (2) if owning the security, does not deliver it against such sale within twenty days thereafter, or does not within five days after such sale deposit it in the mails or other usual channels of transportation; but no person shall be deemed to have violated this subsection if he proves that notwithstanding the exercise of good faith he was unable to make such delivery or deposit within such time, or that to do so would cause undue inconvenience or expense.

(d) The provisions of this section shall not apply to foreign or Transactions to which section inapplidomestic arbitrage transactions unless made in contravention of such cable. rules and regulations as the Commission may adopt in order to carry out the purposes of this section.

ACCOUNTS AND RECORDS, REPORTS, EXAMINATIONS OF EXCHANGES, Accounts and records, etc., of exchanges, members, and others.

Sec. 17. (a) Every national securities exchange, every member thereof, every broker or dealer who transacts a business in securities sion. through the medium of any such member, and every broker or dealer making or creating a market for both the purchase and sale of securities through the use of the mails or of any means or instrumentality of interstate commerce, shall make, keep, and preserve for such periods, such accounts, correspondence, memoranda, papers, books, and other records, and make such reports, as the Commission by its rules and regulations may prescribe as necessary or appropriate in the public interest or for the protection of investors. Such accounts, correspondence, memoranda, papers, books, and other records shall be subject at any time or from time to time to such reasonable periodic, special, or other examinations by examiners or other representatives of the Commission as the Commission may deem necessary or appropriate in the public interest or for the protection of investors.

Requirements, as prescribed by Commis-

(b) Any broker, dealer, or other person extending credit who Reports to Federal Reserve Board. is subject to the rules and regulations prescribed by the Federal Reserve Board pursuant to this title shall make such reports to the Board as it may require as necessary or appropriate to enable it to perform the functions conferred upon it by this title. If any such broker, dealer, or other person shall fail to make any such report or fail to furnish full information therein, or, if in the judgment of the Board it is otherwise necessary, such broker, dealer, or other person shall permit such inspections to be made by the Board with respect to the business operations of such broker, dealer, or other person as the Board may deem necessary to enable it to obtain the required information.

LIABILITY FOR MISLEADING STATEMENTS

Misleading state-

Liability for.

Sec. 18. (a) Any person who shall make or cause to be made any statement in any application, report, or document filed pursuant to this title or any rule or regulation thereunder, which statement was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, shall be liable to any person (not knowing that such statement was false or misleading) who, in reliance upon such statement, shall have purchased or sold a security at a price which was affected by such statement, for damages caused by such reliance, unless the person

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Proof of good faith, sued shall prove that he acted in good faith and had no knowledge Suit at law; under that such statement was false or misleading. A person seeking to enforce such liability may sue at law or in equity in any court of competent jurisdiction. In any such suit the court may, in its discretion, require an undertaking for the payment of the costs of such suit, and assess reasonable costs, including reasonable attorneys' fees, against either party litigant.

Contribution be-ween persons severally

(b) Every person who becomes liable to make payment under this section may recover contribution as in cases of contract from any person who, if joined in the original suit, would have been liable to

make the same payment.

Time limitation for bringing suit.

(c) No action shall be maintained to enforce any liability created under this section unless brought within one year after the discovery of the facts constituting the cause of action and within three years after such cause of action accrued.

Powers over ex-changes and securities. Authority conferred on Commission.

POWERS WITH RESPECT TO EXCHANGES AND SECURITIES

Sec. 19. (a) The Commission is authorized, if in its opinion such action is necessary or appropriate for the protection of investors—

Suspension, etc., of registration of national (1) After appropriate notice and opportunity for hearing, by order to suspend for a period not exceeding twelve months or to withdraw the registration of a national securities exchange if the Commission finds that such exchange has violated any provision of this title or of the rules and regulations thereunder or has failed to enforce, so far as is within its power, compliance therewith by a member or by an issuer of a security registered thereon.

Of security.

exchange.

(2) After appropriate notice and opportunity for hearing, by order to deny, to suspend the effective date of, to suspend for a period not exceeding twelve months, or to withdraw, the registration of a security if the Commission finds that the issuer of such security has failed to comply with any provision of this title or the rules and

regulations thereunder.

Of member.

(3) After appropriate notice and opportunity for hearing, by order to suspend for a period not exceeding twelve months or to expel from a national securities exchange any member or officer thereof whom the Commission finds has violated any provision of this title or the rules and regulations thereunder, or has effected any transaction for any other person who, he has reason to believe, is violating in respect of such transaction any provision of this title or

the rules and regulations thereunder.

Of trading in registered security.

(4) And if in its opinion the public interest so requires, summarily to suspend trading in any registered security on any national securities exchange for a period not exceeding ten days, or with the approval of the President, summarily to suspend all trading on any national securities exchange for a period not exceeding ninety days.

(b) The Commission is further authorized, if after making appropriate request in writing to a national securities exchange that such exchange effect on its own behalf specified changes in its rules and practices, and after appropriate notice and opportunity for hearing, the Commission determines that such exchange has not made the changes so requested, and that such changes are necessary or appropriate for the protection of investors or to insure fair dealing in securities traded in upon such exchange or to insure fair administration of such exchange, by rules or regulations or by order to alter or supplement the rules of such exchange (insofar as necessary or appropriate to effect such changes) in respect of such matters as (1) safeguards in respect of the financial responsibility of members and adequate provision against the evasion of financial responsibility

through the use of corporate forms or special partnerships; (2) the

Authority to compel amendment of exchange rules.

Scope designated.

limitation or prohibition of the registration or trading in any security within a specified period after the issuance or primary distribu-tion thereof; (3) the listing or striking from listing of any security; (4) hours of trading; (5) the manner, method, and place of soliciting business; (6) fictitious or numbered accounts; (7) the time and method of making settlements, payments, and deliveries and of closing accounts; (8) the reporting of transactions on the exchange and upon tickers maintained by or with the consent of the exchange, including the method of reporting short sales, stopped sales, sales of securities of issuers in default, bankruptcy or receivership, and sales involving other special circumstances; (9) the fixing of reasonable rates of commission, interest, listing, and other charges; (10) minimum units of trading; (11) odd-lot purchases and sales; (12) minimum deposits on margin accounts; and (13) similar matters.

(c) The Commission is authorized and directed to make a study commission directed and investigation of the rules of national securities exchanges with changes, including discipline. respect to the classification of members, the methods of election of officers and committees to insure a fair representation of the membership, and the suspension, expulsion, and disciplining of members of such exchanges. The Commission shall report to the Congress on conference of the congress of the congress of the congress of the congress.

with its recommendations.

LIABILITIES OF CONTROLLING PERSONS

SEC. 20. (a) Every person who, directly or indirectly, controls any Liability of controlperson liable under any provision of this title or of any rule or regulation thereunder shall also be liable jointly and severally with and to the same extent as such controlled person to any person to whom such controlled person is liable, unless the controlling person acted in good faith and did not directly or indirectly induce the act or acts constituting the violation or cause of action.

(b) It shall be unlawful for any person, directly or indirectly, to do any act or thing which it would be unlawful for such person to do under the provisions of this title or any rule or regulation thereunder

through or by means of any other person.

(c) It shall be unlawful for any director or officer of, or any owner unreasonably delaying, etc., reports. of any of the securities issued by, any issuer of any security registered on a national securities exchange, without just cause to hinder, delay, or obstruct the making or filing of any document, report, or information, required to be filed under this title or any rule or regulation thereunder.

Unlawful acts.

INVESTIGATIONS; INJUNCTIONS AND PROSECUTION OF OFFENSES

SEC. 21. (a) The Commission may, in its discretion, make such investigations authorized. investigations as it deems necessary to determine whether any person has violated or is about to violate any provision of this title or any rule or regulation thereunder, and may require or permit any person to file with it a statement in writing, under oath or otherwise as the Commission shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Commission is authorized, in its discretion, to publish information concerning any such mation discretionary. violations, and to investigate any facts, conditions, practices, or matters which it may deem necessary or proper to aid in the enforcement of the provisions of this title, in the prescribing of rules and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this title relates.

Injunctions and pros-ecutions.

Evidence.

Administering oaths; attendance of witnesses.

Production of records, etc.

Compelling attendance, etc.

Court order; refusal to obey.

Penalty.

No person excused from attending and testifying.

Immunity against self-incrimination.

Aid of district courts, etc., may be invoked to enjoin unlawful acts.

(b) For the purpose of any such investigation, or any other proceeding under this title, any member of the Commission or any officer designated by it is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or any State at any designated place of hearing.

(c) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records. And such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, and other records, if in his power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or both.

excused and testifying or from producing books, papers, contracts, agreements, and other records and documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(e) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this title, or of any rule or regulation thereunder, it may in its discretion bring an action in the proper district court of the United States, the Supreme Court of the District of Columbia, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General, who may, in his discretion, institute the necessary criminal proceedings under this title.

(f) Upon application of the Commission the district courts of Jurisdiction content United States, the Supreme Court of the District of Columbia, mandamus. and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall also have jurisdiction to issue writs of mandamus commanding any person to comply with the provisions of this title or any order of the Commission made in pursuance thereof.

HEARINGS BY COMMISSION

Hearings by Commission.

SEC. 22. Hearings may be public and may be held before the May be public; rec-Commission, any member or members thereof, or any officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

RULES AND REGULATIONS; ANNUAL REPORTS

Sec. 23. (a) The Commission and the Federal Reserve Board Rules and regulations for executing Act shall each have power to make such rules and regulations as may authorized. be necessary for the execution of the functions vested in them by this title, and may for such purpose classify issuers, securities, exchanges, and other persons or matters within their respective jurisdictions.

(b) The Commission and the Federal Reserve Board, respections, contents. tively, shall include in their annual reports to Congress such information, data, and recommendation for further legislation as they may deem advisable with regard to matters within their respective jurisdictions under this title.

INFORMATION FILED WITH THE COMMISSION

Information filed with Commission.

SEC. 24. (a) Nothing in this title shall be construed to require, erets SEC. 24. (a) Nothing in this title shall be construed to require, Revealing trade seor to authorize the Commission to require, the revealing of trade required. secrets or processes in any application, report, or document filed with the Commission under this title.

(b) Any person filing any such application, report, or document Objection to disclosmay make written objection to the public disclosure of information lowed. contained therein, stating the grounds for such objection, and the Commission is authorized to hear objections in any such case where it deems it advisable. The Commission may, in such cases, make available to the public the information contained in any such application, report, or document only when in its judgment a disclosure of such information is in the public interest; and copies of information so made available may be furnished to any person at such reasonable charge and under such reasonable limitations as the Commission may prescribe.

(c) It shall be unlawful for any member, officer, or employee of Revealing is the then a member tion unlawfully the Commission to disclose to any person other than a member, officer, or employee of the Commission, or to use for personal benefit, any information contained in any application, report, or document filed with the Commission which is not made available to the public pursuant to subsection (b) of this section: Provided, That the Commission may make available to the Federal Reserve Board Information requested by Federal any information requested by the Board for the purpose of enabling Reserve Board. it to perform its duties under this title.

informa-

COURT REVIEW OF ORDERS

Court review orders.

SEC. 25. (a) Any person aggrieved by an order issued by the Com- Aggrieved party may mission in a proceeding under this title to which such person is a party may obtain a review of such order in the Circuit Court of Jurisdiction of Circuit Court of Appeals. Appeals of the United States, within any circuit wherein such person

Service of petition upon Commission.

Objections limited.

Commission's find-ings on facts conclu-

Commission may modify its findings as to facts.

Finality of court's ecision; review by decision; review Supreme Court.

Proceedings not to operate as a stay of Commission's order.

resides or has his principal place of business, or in the Court of Appeals of the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon any member of the Commission, and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, and enforce or set aside such order, in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission. The finding of the Commission as to the facts, if supported by sub-Leave to adduce ad- stantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, the original order. modifying, and enforcing or setting aside, in whole or in part, any such order of the Commission, shall be final, subject to review by the Vol. 36, p. 1157; Vol. Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended U.S.C., title 28, secs. 346 and 347).

(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

Unlawful representa-tions.

UNLAWFUL REPRESENTATIONS

Action or inaction by Commission, construed.

Sec. 26. No action or failure to act by the Commission or the Federal Reserve Board, in the administration of this title shall be construed to mean that the particular authority has in any way passed upon the merits of, or given approval to, any security or any transaction or transactions therein, nor shall such action or failure to act with regard to any statement or report filed with or examined by such authority pursuant to this title or rules and regulations thereunder, be deemed a finding by such authority that such statement or report is true and accurate on its face or that it is not false or misleading. It shall be unlawful to make, or cause to be made, to any prospective purchaser or seller of a security any representation that any such action or failure to act by any such authority is to be so construed or has such effect.

Representations con-cerning, to prospective purchaser.

Jurisdiction of of-fenses and suits. Enforcement provi-

JURISDICTION OF OFFENSES AND SUITS

Sec. 27. The district courts of the United States, the Supreme Court of the District of Columbia, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have exclusive jurisdiction of violations of this title or the rules and regulations thereunder, and of all suits in equity and actions at law brought to enforce any liability or duty created by this title or the rules and regulations thereunder. Any criminal proceeding may be brought in the district wherein any act or transaction constituting the violation occurred. Any suit or action to enforce any liability or duty created by this title or rules and regulations thereunder, or to enjoin any violation of such title or rules and regulations, may be brought in any such district or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shan be subject to review as provided in sections 128 and 240 of the Judi- vol. 36, p. 1133.

Vol. 36, p. 133.

Vol. 36, p. 133.

Vol. 37, p. 895. cial Code, as amended (U.S.C., title 28, secs. 225 and 347). No costs shall be assessed for or against the Commission in any proceeding under this title brought by or against it in the Supreme Court or such other courts.

Venue; criminal pro-ceedings.

Actions to enforce liability, etc.

Judgments, etc., sub-

EFFECT ON EXISTING LAW

SEC. 28. (a) The rights and remedies provided by this title shall Rights and remedies be in addition to any and all other rights and remedies that may tional. exist at law or in equity; but no person permitted to maintain a suit Amount recoverable as damages. for damages under the provisions of this title shall recover, through satisfaction of judgment in one or more actions, a total amount in excess of his actual damages on account of the act complained of. Nothing in this title shall affect the jurisdiction of the securities commission (or any agency or officer performing like functions) of any State over any security or any person insofar as it does not conflict with the provisions of this title or the rules and regulations

Effect on existing

Jurisdiction of State

(b) Nothing in this title shall be construed to modify existing Lawsgoverning relationships between law (1) with regard to the binding effect on any member of any membersand exchange exchange of any action taken by the authorities of such exchange to authorities settle disputes between its members, or (2) with regard to the binding effect of such action on any person who has agreed to be bound thereby, or (3) with regard to the binding effect on any such member of any disciplinary action taken by the authorities of the exchange as a result of violation of any rule of the exchange, insofar as the action taken is not inconsistent with the provisions of this title or the rules and regulations thereunder.

VALIDITY OF CONTRACTS

Validity of contracts.

Sec. 29. (a) Any condition, stipulation, or provision binding any person to waive compliance with any provision of this title or of any rule or regulation thereunder, or of any rule of an exchange required thereby shall be void.

Void conditions, stipulations, etc.

(b) Every contract made in violation of any provision of this title or of any rule or regulation thereunder, and every contract (including any contract for listing a security on an exchange) heretofore or hereafter made the performance of which involves the violation of, or the continuance of any relationship or practice in violation of, any provision of this title or any rule or regulation thereunder, shall be void (1) as regards the rights of any person who, in violation of any such provision, rule, or regulation, shall have made or engaged in the performance of any such contract, and (2) as regards the rights of any person who, not being a party to such contract, shall have acquired any right thereunder with actual knowledge of the facts by reason of which the making or performance of such contract was in violation of any such provision, rule or regulation.

Contracts.

Validity of transac-tions entered in good faith not affected.

(c) Nothing in this title shall be construed (1) to affect the validity of any loan or extension of credit (or any extension or renewal thereof) made or of any lien created prior or subsequent to the enactment of this title, unless at the time of the making of such loan or extension of credit (or extension or renewal thereof) or the creating of such lien, the person making such loan or extension of credit (or extension or renewal thereof) or acquiring such lien shall have actual knowledge of facts by reason of which the making of such loan or extension of credit (or extension or renewal thereof) or the acquisition of such lien is a violation of the provisions of this title or any rule or regulation thereunder, or (2) to afford a defense to the collection of any debt or obligation or the enforcement of any lien by any person who shall have acquired such debt, obligation, or lien in good faith for value and without actual knowledge of the violation of any provision of this title or any rule or regulation thereunder affecting the legality of such debt, obligation, or lien.

Foreign securities ex-

FOREIGN SECURITIES EXCHANGES

Unlawful transactions on.

Sec. 30. (a) It shall be unlawful for any broker or dealer, directly or indirectly, to make use of the mails or of any means or instrumentality of interstate commerce for the purpose of effecting on an exchange not within or subject to the jurisdiction of the United States, any transaction in any security the issuer of which is a resident of, or is organized under the laws of, or has its principal place of business in, a place within or subject to the jurisdiction of the United States, in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors or to prevent the evasion of this title.

Business without the jurisdiction of United States.

(b) The provisions of this title or of any rule or regulation thereunder shall not apply to any person insofar as he transacts a business in securities without the jurisdiction of the United States, unless he transacts such business in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate to prevent the evasion of this title.

Registration fees.

REGISTRATION FEES

Payment.

Sec. 31. Every national securities exchange shall pay to the Commission on or before March 15 of each calendar year a registration fee for the privilege of doing business as a national securities exchange during the preceding calendar year or any part thereof. Such fee shall be in an amount equal to one five-hundredths of 1 per centum of the aggregate dollar amount of the sales of securities transacted on such national securities exchange during the preceding calendar year and subsequent to its registration as a national securities exchange.

Penalties.

PENALTIES

Violation of provi-sions of title; of regula-

Punishment for.

Sec. 32. Any person who willfully violates any provision of this title, or any rule or regulation thereunder the violation of which is made unlawful or the observance of which is required under the False or misleading terms of this title, or any person who willfully and knowingly makes, or causes to be made, any statement in any application, report, or document required to be filed under this title or any rule or regulation thereunder, which statement was false or misleading with respect to any material fact, shall upon conviction be fined not more than \$10,000, or imprisoned not more than two years, or both, except that when such person is an exchange, a fine not exceeding \$500,000 may be imposed; but no person shall be subject to imprisonment under this section for the violation of any rule or regulation if he proves that he had no knowledge of such rule or regulation.

SEPARABILITY OF PROVISIONS

Separability of provisions.

SEC. 33. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the Act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Effective date.

EFFECTIVE DATE

Sec. 34. This Act shall become effective on July 1, 1934, except that sections 6 and 12(b), (c), (d), and (e) shall become effective on September 1, 1934; and sections 5, 7, 8, 9(a) (6), 10, 11, 12(a), 13, 14, 15, 16, 17, 18, 19, and 30 shall become effective on October 1, 1934.

TITLE II—AMENDMENTS TO SECURITIES ACT OF 1933

Securities Act of 1933, amendments.

Ante, p. 74.

Section 201. (a) Paragraph (1) of section 2 of the Securities Act

of 1933 is amended to read as follows:

Terms defined. "Security."

"(1) The term 'security' means any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate, certificate of deposit for a security, fractional undivided interest in oil, gas, or other mineral rights, or, in general, any interest or instrument commonly known as a 'security', or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing."

"Issuer."

(b) Paragraph (4) of such section 2 is amended to read as follows: "(4) The term 'issuer' means every person who issues or proposes to issue any security; except that with respect to certificates of deposit, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors (or persons performing similar functions) or of the fixed, restricted management, or unit type, the term 'issuer' means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which such securities are issued; except that in the case of an unincorporated association which provides by its articles for limited liability of any or all of its members, or in the case of a trust, committee, or other legal entity, the trustees or members thereof shall not be individually liable as issuers of any security issued by the association, trust, committee, or other legal entity; except that with respect to equipment-trust certificates or like securities, the term 'issuer' means the person by whom the equipment or property is or is to be used; and except that with respect to fractional undivided interests in oil, gas, or other mineral rights, the term 'issuer' means the owner of any such right or of any interest in such right (whether whole or fractional) who creates fractional interests therein for the purpose of public offering."

(c) Paragraph (10) of such section 2 is amended to read as

"(10) The term 'prospectus' means any prospectus, notice, circular, advertisement, letter, or communication, written or by radio, which offers any security for sale; except that (a) a communication

"Prospectus."

shall not be deemed a prospectus if it is proved that prior to or at the same time with such communication a written prospectus meeting the requirements of section 10 was sent or given to the person to whom the communication was made, by the person making such communication or his principal, and (b) a notice, circular, advertisement, letter, or communication in respect of a security shall not be deemed to be a prospectus if it states from whom a written prospectus meeting the requirements of section 10 may be obtained and, in addition, does no more than identify the security, state the price thereof, and state by whom orders will be executed."

Sec. 202. (a) Paragraph (2) of section 3 (a) of such Act is

amended to read as follows:

"(2) Any security issued or guaranteed by the United States or any Territory thereof, or by the District of Columbia, or by any State of the United States, or by any political subdivision of a State or Territory, or by any public instrumentality of one or more States or Territories, or by any person controlled or supervised by and acting as an instrumentality of the Government of the United States pursuant to authority granted by the Congress of the United States, or any certificate of deposit for any of the foregoing, or any security issued or guaranteed by any national bank, or by any banking institution organized under the laws of any State or Territory or the District of Columbia, the business of which is substantially confined to banking and is supervised by the State or Territorial banking commission or similar official; or any security issued by or representing an interest in or a direct obligation of a Federal Reserve bank";

(b) Paragraph (4) of such section 3 (a) is amended by striking

out "corporation" and inserting in lieu thereof "person."

(c) Such section 3 (a) is further amended by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon, and by inserting immediately after such paragraph (8)

the following new paragraphs:

"(9) Any security exchanged by the issuer with its existing security holders exclusively where no commission or other remuneration is paid or given directly or indirectly for soliciting such exchange;

(10) Any security which is issued in exchange for one or more bona fide outstanding securities, claims or property interests, or partly in such exchange and partly for cash, where the terms and conditions of such issuance and exchange are approved, after a hearing upon the fairness of such terms and conditions at which all persons to whom it is proposed to issue securities in such exchange shall have the right to appear, by any court, or by any official or agency of the United States, or by any State or Territorial banking or insurance commission or other governmental authority expressly authorized by law to grant such approval;

"(11) Any security which is a part of an issue sold only to persons resident within a single State or Territory, where the issuer of such security is a person resident and doing business within or, if a corporation, incorporated by and doing business within, such State or

Territory.

Sec. 203. (a) Paragraph (1) of section 4 of such Act is amended (1) by striking out "not with or through an underwriter and"; and (2) by striking out "last" and inserting in lieu thereof "first".

(b) Paragraph (3) of such section 4 is hereby repealed.

Sec. 204. Subsection (c) of section 5 of such Act is hereby repealed. Sec. 205. Paragraph (1) of section 10(b) of such Act is amended to read as follows:

Ante, p. 76. Exempted securities. Securities guaranteed by United States or political subdivision thereof. District of Columbia,

Annuity contracts.

Securities exchanged with existing security holders.

Securities exchanged on readjustments

Intrastate sales of securities.

Exempted transactions.

Ante, p. 77.
Designated paragraphs repealed.

Ante, p. 81.

"(1) When a prospectus is used more than thirteen months after Statements in prothe effective date of the registration statement, the information in the statements contained therein shall be as of a date not more than twelve months prior to such use, so far as such information is known to the user of such prospectus or can be furnished by such user

without unreasonable effort or expense."

SEC. 206. (a) Section 11 (a) of such Act is amended by adding after the last line thereof the following new sentence: "If such after the last line thereof the following new sentence: "If such False registration person acquired the security after the issuer has made generally statements. Civil liabilities. available to its security holders an earning statement covering a period of at least twelve months beginning after the effective date of the registration statement, then the right of recovery under this subsection shall be conditioned on proof that such person acquired the security relying upon such untrue statement in the registration statement or relying upon the registration statement and not knowing of such omission, but such reliance may be established without proof of the reading of the registration statement by such person."

(b) Clauses (C) and (D) of paragraph (3) of section 11 (b) of such Act are amended to read as follows: "(C) as regards any part of the registration statement purporting to be made on the authority of an expert (other than himself) or purporting to be a copy of or extract from a report or valuation of an expert (other than himself), he had no reasonable ground to believe and did not believe, at the time such part of the registration statement became effective, that the statements therein were untrue or that there was an omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, or that such part of the registration statement did not fairly represent the statement of the expert or was not a fair copy of or extract from the report or valuation of the expert; and (D) as regards any part of the registration statement purporting to be a statement made by an official person or purporting to be a copy of or extract from a public official document, he had no reasonable ground to believe and did not believe, at the time such part of the registration statement became effective, that the statements therein were untrue, or that there was an omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, or that such part of the registration statement did not fairly represent the statement made by the official person or was not a fair copy of or extract from the public official document."

(c) Subsection (c) of such section 11 is amended to read as

follows:

section (b) of this section, what constitutes reasonable investigation and reasonable ground for belief. the standard of shall be that required of a prudent man in the management of his own property."

(d) Subsection (e) of such section 11 is amended to read as

follows:

"(e) The suit authorized under subsection (a) may be to recover Suits; amount recover erable as damages. such damages as shall represent the difference between the amount paid for the security (not exceeding the price at which the security was offered to the public) and (1) the value thereof as of the time such suit was brought, or (2) the price at which such security shall have been disposed of in the market before suit, or (3) the price at which such security shall have been disposed of after suit but before judgment if such damages shall be less than the damages representing the difference between the amount paid for the security (not exceeding the price at which the security was offered to the

Ante, p. 83. Statement of expert (other than self).

Ante. p. 83.

Defendant not liable his misconduct.

suit

Assessment.

Periods of limitations Ante, p. 84.

Liability of controlling persons. Ante, p. 84.

Powers of Commission; define technical terms. Ante, p. 85.

Protection of persons relying on Commission in good faith.

Transfer of duties, etc., from Federal Trade Commission.

Ante, p. 93.

public) and the value thereof as of the time such suit was brought: Provided, That if the defendant proves that any portion or all of for damages, proved to such damages represents other than the depreciation in value of bear no relationship to such security resulting from such part of the registration statement, with respect to which his liability is asserted, not being true or omitting to state a material fact required to be stated therein or Liability of underwriter receiving no preferential treatment. tion of or all such damages shall not be recoverable. In no event shall any underwriter (unless such underwriter shall have knowingly received from the issuer for acting as an underwriter some benefit, directly or indirectly, in which all other underwriters similarly situated did not share in proportion to their respective interests in the underwriting) be liable in any suit or as a consequence of suits authorized under subsection (a) for damages in excess of the total price at which the securities underwritten by him and distributed to the public were offered to the public. In any suit under this or any other section of this title the court may, in Undertaking; costs of its discretion, require an undertaking for the payment of the costs of such suit, including reasonable attorney's fees, and if judgment shall be rendered against a party litigant, upon the motion of the other party litigant, such costs may be assessed in favor of such party litigant (whether or not such undertaking has been required) if the court believes the suit or the defense to have been without merit, in an amount sufficient to reimburse him for the reasonable expenses incurred by him, in connection with such suit, such costs to be taxed in the manner usually provided for taxing of costs in the court in which the suit was heard."

Sec. 207. Section 13 of such Act is amended (a) by striking out "two years" wherever it appears therein and inserting in lieu thereof "one year"; (b) by striking out "ten years" and inserting in lieu thereof "three years"; and (c) by inserting immediately before the period at the end thereof a comma and the following: or under section 12 (2) more than three years after the sale".

Sec. 208. Section 15 of such Act is amended by inserting immediately before the period at the end thereof a comma and the following: "unless the controlling person had no knowledge of or reasonable ground to believe in the existence of the facts by reason

of which the liability of the controlled person is alleged to exist".

Sec. 209. (a) The first sentence of subsection (a) of section 19 of such Act is amended by inserting after the word "accounting" a comma and the word "technical".

(b) Subsection (a) of such section 19 is further amended by adding at the end thereof the following new sentence: "No provision of this title imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule or regulation of the Commission, notwithstanding that such rule or regulation may, after such act or omission, be amended or rescinded or be determined by judicial or other authority to be invalid for any

Sec. 210. Upon the expiration of sixty days after the date upon which a majority of the members of the Securities and Exchange Commission appointed under section 4 of title I of this Act have qualified and taken office, all powers, duties, and functions of the Federal Trade Commission under the Securities Act of 1933 shall be transferred to such Commission, together with all property, books, records, and unexpended balances of appropriations used by or available to the Federal Trade Commission for carrying out its functions under the Securities Act of 1933. All proceedings, hearings, or investigations commenced or pending before the Federal

Trade Commission arising under the Securities Act of 1933 shall be continued by the Securities and Exchange Commission. All orders, rules, and regulations which have been issued by the Federal Trade Commission under the Securities Act of 1933 and which are in effect shall continue in effect until modified, superseded, revoked, or repealed. All rights and interests accruing or to accrue under the Securities Act of 1933, or any provision of any regulation relating to, or out of action taken by, the Federal Trade Commission under such Act, shall be followed in all respects and may be exercised and enforced.

Sec. 211. The Commission is authorized and directed to make a Investigations thorized: report study and investigation of the work, activities, personnel, and func-recommendations. tions of protective and reorganization committees in connection with the reorganization, readjustment, rehabilitation, liquidation. or consolidation of persons and properties and to report the result of its studies and investigations and its recommendations to the Congress on or before January 3, 1936.

Approved, June 6, 1934, 12:15 p.m.

[CHAPTER 405.]

AN ACT

To amend an Act entitled "An Act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes."

June 6, 1934. [H.R. 6179.] [Public, No. 292.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Act approved October 20, 1914, entitled "An Act to I for other numbers?" of coal lands in the Territory of Alaska, and for other purposes (38 Stat.L. 741; U.S.C., title 48, secs. 432 to 452, inclusive), be, and the same is hereby, amended by adding thereto the following section:

"SEC. 19. In the event the Secretary of the Interior, in the interest of conservation, or for other satisfactory cause, shall direct, or shall assent to the suspension of operation and/or production of coal, or shall have heretofore so directed or assented, under any lease granted under the terms of this Act, any payment of acreage rental prescribed by such lease likewise shall be suspended during such period of suspension of operations and/or production, and payment of any rental heretofore accrued during such period of suspension but remaining unpaid shall be waived; and the term of such lease shall tended. be extended by adding thereto any such suspension period."

Alaska coal lands. Vol. 38, p. 745. U.S.C., p. 1595.

Lessees relieved of acreage rentals.

Approved, June 6, 1934.

[CHAPTER 406.]

AN ACT

Granting the consent of Congress to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime, and for other purposes.

June 6, 1934. [H.R. 7353.] [Public, No. 293.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Compacts between congress is hereby given to any two or more States to enter into states for mutual assistance states for cooperative effort and mutual assistance.

Prevention of crime. Compacts between states for mutual assistance and mutual assistance. in the prevention of crime and in the enforcement of their respective criminal laws and policies, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 6, 1934.

[CHAPTER 407.]

AN ACT

June 6, 1934. [H.R. 8494.] [Public, No. 294.]

To authorize the Secretary of the Interior to modify the terms of existing contracts for the sale of timber on the Quinault Indian Reservation when it is in the interest of the Indians so to do.

with isting contracts consent of Indians.

Provisos.
Condition of operation.

Increasing stumpage

Consent of Quinault council to sale of tim-

Existing contracts between individual al-lottees, etc., may be modified.

Indian labor.

Railway Ozette

Be it enacted by the Senate and House of Representatives of the Quinault Indian Reservation, Wash., time of the Interior with the concept of the Indiana invalved expressed of the Interior, with the consent of the Indians involved, expressed through a regularly called general council, and of the purchasers, is hereby authorized to modify the terms of now-existing and uncompleted contracts of sale of Indian tribal timber on the Quinault Indian Reservation in the State of Washington: *Provided*, That any such modifications shall be upon the express condition that said purchaser shall forthwith proceed to operate under all the terms of said contract as modified or suffer forfeiture of such contract and collection upon bond: And provided further, That any modification of said contracts shall stipulate that in the event of sufficiently improved economic conditions the Secretary of the Interior with the consent of the said general council is authorized, after consultation with the purchasers and the Indians involved and after ninety days' notice to them, to increase stumpage prices of timber reduced in any such modified contract: And provided further, That hereafter no contract of sale of Indian tribal timber on the Quinault Indian Reservation in Washington shall be entered into without the consent of the said general council.

Sec. 2. The Secretary of the Interior may modify existing contracts between individual Indian allottees or their heirs and purchasers of their timber, under the terms and requirements of section 1 of this Act, with the consent of the allottee or his heirs.

Sec. 3. In all such modified contracts the purchasers of Indian timber on tribal lands or on restricted or trust allotments in all operations pertaining to the logging and manufacturing of said timber shall be required to give preference to the employment of Indian labor.

Sec. 4. That any modification of the contract with the Ozette Company. Contracts for hauling Railway Company shall stipulate that that company shall haul logs logs. of other timber owners on its railroad line, as freight, for such other owners with its ordinary equipment and at reasonable charges when such logs are tendered to it at places on its railroad line designated by such company; and its railroad shall be, and become, a common-carrier railroad and be extended to the Hoh River and be a common-carrier railroad for its entire length.

Approved, June 6, 1934.

[CHAPTER 408.]

AN ACT

June 6, 1934. [H.R. 9370.] [Public, No. 295.]

To authorize an appropriation of money to facilitate the apprehension of certain persons charged with crime.

Appropriation au-thorized; reward for capture.

Be it enacted by the Senate and House of Representatives of the Persons charged with United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, as a reward or rewards for the capture of anyone who is charged with violation of criminal laws of the United States or any State or of the District of Columbia the sum of \$25,000 to be apportioned and expended in the discretion of, and upon such conditions as may be imposed by, the Attorney General of the United States. That there is also hereby Furnishing informa-tion leading to arrest. authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, as a reward or rewards for information leading to the arrest of any such person the sum of \$25,000 to be apportioned and expended in the discretion of, and upon such conditions as may be imposed by, the Attorney General of the United States: *Provided*, That not more than \$25,000 shall be expended for information or capture of any one person.

If the said persons or any of them shall be killed in resisting Discretionary paylawful arrest, the Attorney General may pay any part of the killed. reward or rewards in his discretion to the person or persons whom he shall adjudge to be entitled thereto: *Provided*, That no part of hopayment to offithe money authorized to be appropriated by this Act shall be paid cials of Department of to any official or employee of the Department of Justice of the United States.

Approved, June 6, 1934.

[CHAPTER 409.]

JOINT RESOLUTION

Empowering certain agents authorized by the Secretary of Agriculture to administer oaths to applicants for tax-exemption certificates under the Cotton [Pub. Res., No. 29.] Act of 1934.

June 6, 1934. [S.J.Res. 123.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any county agent or member of a county committee or community committee of a cottonproduction-control association who is authorized in writing by the Secretary of Agriculture to act as his agent in the administration of the Agricultural Adjustment Act shall, while he is acting as such agent, have power to administer oaths to persons making applications (if made within the county in which such agent is authorized to act) for tax-exemption certificates under section 6 of the Act of April 21, 1934, entitled "An Act to place the cotton industry on a sound commercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional henefits under the Agriculture Adjustment Act, and for other purposes", but no fee or compensation shall be charged or received by any such agent for administering such an oath.

Approved, June 6, 1934.

[CHAPTER 424.]

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

June 7, 1934. [H.R. 5884.] [Public, No. 296.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 1, 1898, entitled "An Act to establish a uniform system of vol. 30, pp. 544-566; bankruptcy throughout the United States", as amended by the Acts p. 267; Vol. 34, p. 797; Vol. 34, p. 267; Vol. 34, p. 267; Vol. 34, p. 387; Vol. 44, p. 662; January 7, 1922, May 27, 1926, February 11, 1932, and March 3, 1933, Vol. 47, p. 1467. be, and it is hereby, amended by adding to chapter VIII, entitled Supp VII. p. 135 "Provisions for the relief of debtors", two new sections to read as follows:

Proviso. Restriction.

Cotton Act of 1934. Certain designated agents authorized to administer oaths.

Ante, p. 601.

No fee to be charged.

Provisions for the re-lief of debtors. Courts of bank-ruptcy, additional ju-risdiction.

Corporate reorganizations. Petition in retuon in bank-ruptcy, insolvent cor-porations. Filing authorized. Vol. 47, p. 1474.

Filing fee.

Court order.

Debtor and property, jurisdiction over during pendency of proceed-

Jurisdiction.

"Sec. 77A. Additional jurisdiction.—In addition to the jurisdiction exercised in voluntary and involuntary proceedings to adjudge persons bankrupt, courts of bankruptcy shall exercise original jurisdiction in proceedings for the relief of debtors, as provided in section 77B of this Act.

"Sec. 77B. Corporate Reorganizations.—(a) Any corporation bank- which could become a bankrupt under section 4 of this Act, and any railroad or other transportation corporation, except a railroad corporation authorized to file a petition or answer under the provisions of section 77 of this Act, and except as hereinafter provided, may file an original petition, or, before adjudication in an involuntary proceeding, an answer, or in any proceeding pending in bankruptcy, whether filed before or after this section becomes effective, provided the present operations of such corporation do not exclude it hereunder, and whether or not the corporation has been adjudicated a bankrupt, a petition stating the requisite jurisdictional facts under this section; the nature of the business of the debtor; in brief descrip-

tion, the assets, liabilities, capital stock, and financial condition of the debtor; if a prior proceeding is pending, the name of the court in which it is pending and the nature of such proceeding; facts showing the need for relief under this section; and that the corporation is insolvent or unable to meet its debts as they mature and that it desires to effect a plan of reorganization. The petition shall be filed with the court in whose territorial jurisdiction the corporation, during the preceding six months or the greater portion thereof, has had its principal place of business or its principal assets, or in any territorial jurisdiction in the State in which it was incorporated. Transfer of proceed-ags. The court shall upon petition transfer such proceedings to the terri-torial jurisdiction where the interests of all the parties will be The petition or answer shall be accompanied by best subserved. payment to the clerk of a filing fee of \$100, which shall be in addition to the fees required to be collected by the clerk under other sections of this Act. Upon the filing of such a petition or answer the judge shall enter an order either approving it as properly filed under this section if satisfied that such petition or answer complies with this section and has been filed in good faith, or dismissing it. If the petition or answer is so approved faith, or dismissing it. If the petition or answer is so approved, an order of adjudication in bankruptcy shall not be entered and the court in which such order approving the petition or answer is entered shall, during the pendency of the proceedings under this section, have exclusive jurisdiction of the debtor and its property wherever located for the purposes of this section, and shall have and may exercise all the powers, not inconsistent with this section, which a Federal court would have had it appointed a receiver in equity of the property of the debtor by reason of its inability to pay its debts as Corporation referred they mature. The corporation shall be referred to in the proceedings as a 'debtor.' Any corporation the majority of the capital stock of plan for reorganization. which having power to vote for the election of directors is owned, either directly or indirectly through an intervening medium, by any debtor, or substantially all of whose properties are operated by such debtor under lease or operating agreement, may file, with the court in which such debtor had filed its petition or answer, and in the same proceeding, a petition stating that it is insolvent or unable to meet its debts as they mature and that it desires to effect a plan of reorganization in connection with, or as a part of, the plan of reorganization of such other debtor; and thereupon such court, if it

approves such petition, shall have the same jurisdiction with respect to such corporation, its property, and its creditors and stockholders

as the court has with respect to such other debtor. Three or more Petition by creditors; bankcreditors who have provable claims against any corporation which ruptey. amount in the aggregate, in excess of the value of securities held by them, if any, to \$1,000 or over may, if such corporation has not filed a petition or answer under this section, file with the court in which such corporation might file a petition under this section, a petition stating that such corporation is insolvent or unable to meet its debts as they mature and, if a prior proceeding in bankruptcy or equity receivership is not pending, that it has committed an act of bankruptcy within four months, that such creditors propose that it shall effect a reorganization; and such corporation shall, within tion, ten days after the service of a copy of such petition upon it, answer such petition. If such answer shall admit (a) the jurisdiction of gations are admitted. the court, and (b) the material allegations of the petition, the court shall enter an order approving the petition as properly filed under this section if satisfied that it complies with this section and has been filed in good faith, or dismiss it if not so satisfied. If such answer shall deny any material allegation of the petition, the judge shall determine summarily the issues presented by the pleadings, without issues. the intervention of a jury, and if the material allegations of the petition are sustained by the proofs and the court is satisfied that the petition complies with this section and has been filed in good faith it shall approve the petition; otherwise the court shall dismiss the petition; and if any such petition shall be so approved, the proceedings thereon shall continue with like effect as if the corporation had itself filed a petition or answer under this section. In case any stitute act of bank-such petition or answer and act of bank-such petition or such petition or answer or proceedings shall be dismissed in the ruptey. manner provided in this subdivision (a) or in subdivision (c), clause (8), of this section, the same shall not constitute an act of bankruptcy or an admission of insolvency or be admissible in evidence, without the consent of the debtor, in any proceedings then or thereafter pending or commenced under this Act or in any Federal or State court. If three or more creditors who have provable claims for controverting which amount in the aggregate in excess of the value of securities statements in petition held by them, if any, to \$1,000 or over, or if stockholders holding 5 per centum in number of all shares of stock of any class of the debtor outstanding shall, prior to the hearing provided for in subdivision (c), clause (1), of this section appear and controvert the facts alleged in the petition or answer, the judge shall determine as soon as may be the issues presented by the pleadings, without the intervention of a jury, and unless the material allegations of the petition or answer are sustained by the proofs, the proceedings shall be dismissed.

"(b) A plan of reorganization within the meaning of this section tion.

(1) shall include provisions modifying or altering the rights of creditors generally, or of any class of them, secured or unsecured, either through the issuance of new securities of any character or otherwise; (2) may include provisions modifying or altering the rights of stockholders generally, or of any class of them, either through the issuance of new securities of any character or otherwise; (3) shall provide for the payment in cash of all costs of administration and other allowances made by the court except that compensation or reimbursement provided for in subdivision (c), clause (9), of this section, may be paid in securities provided for in the plan if those entitled thereto will accept such payment and the court finds such compensation reasonable; (4) shall provide in respect of each class of stockholders, of which less than a majority shall accept such plan (unless the judge shall determine either that the debtor is insolvent, or that the interest of such class of stockholders will not

Answer of corpora-

If answer denies.

Plan of reorganiza-Scope of. Rights of creditors.

Of stockholders.

Payments; administration costs, allow-

Stockholders equity, protection of.

Creditors interest. claims, etc., protection

Executory contracts of debtor, unexpired leases; rejection.

If creditor or stock-holder not affected by plan.

Specify claims to be paid in cash.

General power.

Creditor deemed af-lected by reorganiza-tion.

Terms defined; "Security."

be affected adversely by the plan), adequate protection for the realization by them of the value of their equity, if any, in the property of the debtor dealt with by the plan, either, as provided in the plan, (a) by a sale of the property at not less than a fair upset price, or (b) by appraisal and payment in cash of the value either of their stock, or at the objecting stockholders' election, of the securities allotted to such stockholders under the plan, if any shall be so allotted, or (c) by such methods as will do substantial justice to such stockholders under and consistent with the circumstances of the particular case; (5) shall provide in respect of each class of creditors of which less than two thirds in amount shall accept such plan (unless the claims of such class of creditors will not be affected by the plan, or the plan makes provision for the payment of their claims in cash in full), provide adequate protection for the realization by them of the value of their interests, claims, or liens, if the property affected by such interests, claims, or liens is dealt with by the plan, either as provided in the plan (a) by the transfer or sale of such property subject to such interests, claims, or liens, or by the retention of such property by the debtor subject to such interests, claims, or liens, or (b) by a sale free of such interests, claims, or liens at not less than a fair upset price and the transfer of such interests, claims, or liens to the proceeds of such sale; or (c) by appraisal and payment either in cash of the value either of such interests, claims, or liens, or, at the objecting creditors' election, of the securities allotted to such interests, claims, or liens under the plan, if any shall be so allotted; or (d) by such method as will in the opinion of the judge, under and consistent with the circumstances of the particular case, equitably and fairly provide such protection; (6) may reject contracts of the debtor which are executory in whole or in part, including unexpired leases except contracts in the public authority; (7) shall, in case any creditor or stockholder or class thereof shall not be affected by the plan, specify the creditor or stockholder or class or classes thereof not affected and contain such provisions with respect thereto as may be appropriate, and in case any controversy shall arise as to whether any creditor or stockholder or class thereof shall or shall not be affected, the issue shall be determined by the judge after hearing upon notice to the parties interested; (8) shall specify what claims, if any, are to be paid in cash in Means for execution full; (9) shall provide adequate means for the execution of the plan, which may include the transfer of all or any part of the property of the debtor to another corporation or to other corporations, or the consolidation of the properties of the debtor with those of another corporation, or the merger or consolidation of the debtor into or with another corporation or corporations, or the retention of the property by the debtor, the distribution of assets among creditors or any class thereof, the satisfaction or modification of liens, indentures, or other similar instruments, the curing or waiver of defaults, extension of maturity dates of outstanding securities, the change in interest rates and other terms of such securities, the amendment of the charter of the debtor, and the issuance of securities of either the debtor or any such corporation or corporations, for cash, or in exchange for existing securities, or in satisfaction of claims or rights, or for other appropriate purposes; (10) may deal with all or any part of the property of the debtor and may include any other appropriate provisions not inconsistent with this section. No creditor or stockholder shall, for the purposes of this section be deemed to be affected by any plan of reorganization unless the same shall affect his interests materially and adversely. The term 'securities' shall include evidences of indebtedness, either secured or unsecured, stock,

certificates of beneficial interest therein, and certificates of beneficial interest in property. The term 'stockholders' shall include the holders of voting trust certificates. The term 'creditors' shall include for all purposes of this section and of the reorganization plan, its acceptance and confirmation, all holders of claims of whatever character against the debtor or its property, including claims under executory contracts, whether or not such claims would otherwise constitute provable claims under this Act. The term 'claims' includes debts, securities, other than stock, liens, or other interests of whatever character. For all purposes of this section unsecured claims which would have been entitled to priority over existing mortgages if a receiver in equity of the property of the debtor had been appointed by a Federal court on the day of the approval of the petition or answer under this section, shall be entitled to such priority, and the holders of such claims, and of other claims, if any, of equal rank, shall be treated as a separate class of creditors. In case an executory contract or unexpired lease of real estate shall be rejected pursuant to direction of the judge given in a proceeding instituted under this section, or shall have been rejected by a trustee or receiver in bankruptcy or receiver in equity, in a proceeding pending prior to the institution of a proceeding under this section any person injured by such rejection shall, for all purposes of this section and of the reorganization plan, its acceptance and confirmation, be deemed to be a creditor. The claim of a landlord for injury resulting from the rejection of an unexpired lease of real estate or for damages or indemnity under a covenant contained in such lease shall be treated as a claim ranking on a parity with debts which would be provable under section 63 (a) of this Act, but shall be limited to an amount not to exceed the rent, without acceleration, reserved by said lease for the three years next succeeding the date of surrender of the premises to the landlord or the date of reentry of the landlord, whichever first occurs, whether before or after the filing of the petition, plus unpaid rent accrued up to such date of surrender or reentry: *Provided*, That the court shall scrutinize the circumstances of an assignment of future rent claims and the amount of the con-scrutinized sideration paid for such assignment in determining the amount of damages allowed assignee hereunder. In the case of secured claims
entitled to the provisions of clause (5) of this subdivision (b), the
security shall be determined in the manner provided in section 57, clause (h) of this Act, and if the amount of such value shall be less than the amount of the claim, the excess may be classified as an unsecured claim. The provisions of section 60 of this Act shall apply to claims against the debtor in a proceeding under this section. For all purposes of this section any creditor may act in person, by an attorney at law, or by a duly authorized agent or committee: *Provided*, That the judge shall scrutinize and may disregard any limitations or provisions of any depositary agreements, trust indentures, committee or other authorizations affecting garded. ing thereunder or restrain the exercise of any power which he finds of power found to be unfair or not consistent with public policy and many limit. claims filed by such committee member or agent, to the actual consideration paid therefor. The running of all periods of time Running of statutes prescribed by any other provisions of this Act, and by all statutes of limitation suspended during pendency of limitations, shall be suspended during the pendency of a proceedings. proceeding under this section.

"(c) Upon approving the petition or answer or at any time there-upon approval of peafter, the judge, in addition to the jurisdiction and powers elsewhere tition or answer. in this section conferred upon him, (1) may, after hearing upon

"Stockholders." "Creditors."

"Claims."

Priority.

Persons injured by rejection of executory contract.

Claim of landlord for injury through loss of rent.

Limitation.

Provisos. Rent claims to be

Depositary agreement, etc., affecting creditor may be disre-

Debtor's estate, pos- notice to the debtor and to such others as the judge may determine temporarily continue the debtor in possession or appoint a trustee or trustees of the debtor's estate, and shall require the debtor, or such trustee or trustees, if appointed, to give such notice as the order may direct to creditors and stockholders and to cause publication thereof to be made at least once a week for two successive weeks of a hearing to be held within thirty days after such appointment, or, if no such appointment, within thirty days after the approval of the petition or answer, at which hearing or any adjournment thereof. or at any subsequent hearing after notice, the judge may make permanent any such appointment, or terminate it and restore the debtor to possession, or, if no trustee has been appointed, may appoint a trustee or trustees, and may remove any such trustee or trustees and continue the debtor in possession or appoint a substitute trustee or trustees and may appoint an additional trustee or trustees;

Trustee's powers, etc.

nared.

Stockholders.

bond, (2) shall fix the amount of the bond of every such trustee, and every such trustee, upon filing such bond, shall have all the title and shall exercise, subject to the control of the judge and consistently with the provisions of this section, all the powers of a trustee appointed pursuant to section 44 of this Act, and if authorized by the judge, the same powers as those exercised by a receiver in equity to the extent consistent with this section, and, subject to the authorization and control of the judge, the power to operate the business of the debtor during such period, fixed or indefinite, as the judge may Issuance of certificates for cash, property, etc.; conditions. the debtor or the trustee or trustees, if appointed, to issue certificates for cash, property, or other consideration approved by the judge for such lawful purposes, and upon such terms and conditions and with such security and such priority in payments over existing obligations, secured or unsecured, as may be lawful in the particular Schedules of debtor. case; (4) shall require the debtor, or the trustee or trustees if appointed, at such time or times as the judge may direct, and in lieu of the schedules required by section 7 of this Act, to file such schedules and submit such other information as may be necessary to disclose the conduct of the debtor's affairs and the fairness of any proposed plan; and may direct the debtor, or the trustee or trustees if List of known bond appointed, to prepare (a) a list of all known bondholders and holders, etc., to be pre-creditors of, or claimants against, the debtor or its property, and the amounts and character of their debts, claims, and securities, and the last known post-office address or place of business of each creditor or claimant, and (b) a list of the stockholders of each class of the debtor, with the last known post-office address or place of business of each, which lists shall be open to the inspection of any creditor or stockholder of the debtor, during reasonable business hours, upon application to the debtor, or to the trustee or trustees, if appointed, and the contents of such lists shall not constitute admissions by the debtor or the trustees in a proceeding under this section or otherwise; (5) may direct the rejection of contracts of the debtor executory in whole or in part; (6) shall determine a reasonable time Executory contracts or otherwise; (5) may direct the rejection of contracts of the debtor executory in whole or in part; (6) shall determine a reasonable time and interests of creditors and stockholders tors, etc.

Time for filing claims and interests of creditors and stockholders within which the claims and interests of creditors and stockholders may be filed or evidenced and after which no such claim or interest may be filed or evidenced and after which no such claim or interest may participate in any plan, except on order for cause shown, the manner in which such claims and interests may be filed or evidenced and allowed, and, for the purposes of the plan and its acceptance, Classification of cred. the division of creditors and stockholders into classes according to the nature of their respective claims and interests; and may, for the purposes of such classification, classify as an unsecured claim, the amount of any secured claim in excess of the value of the security therefor, such value to be determined in accordance with the provi-

sions of section 57, clause (h), of this Act; (7) shall cause reasonable notice of such determination and of all hearings for the consideration of any proposed plan, or of the dismissal of the proceedings, or the liquidation of the estate, or the allowance of fees or expenses, penses. to be given creditors and stockholders by publication or otherwise; (8) if a plan of reorganization is not proposed or accepted within such reasonable period as the judge may fix, or, if proposed and accepted, is not confirmed, may, after hearing, whether the proceeding be voluntary or involuntary, either extend such period or dismiss the proceeding under this section or, except in the case of a railroad or other public utility or of a debtor which has not been found by the judge to be insolvent, direct the estate to be liquidated, or direct the trustee or trustees to liquidate the estate, appointing a trustee or trustees if none shall previously have been appointed, as the interests of the creditors and stockholders may equitably require; (9) may allow a reasonable compensation for the services rendered and reimbursement for the actual and necessary expenses incurred in connection with the proceeding and the plan by officers, parties in interest deposits and expenses. interest, depositaries, reorganization managers and committees or other representatives of creditors or stockholders, and the attorneys or agents of any of the foregoing and of the debtor, but appeals from orders fixing such allowances may be taken to the Circuit Court of Appeals independently of other appeals in the proceeding and shall be heard summarily; (10) in addition to the provisions of section 11 of this Act for the staying of pending suits against the stay suit against debt-debtor, may enjoin or stay the commencement or continuation. suits against the debtor until after final decree; and may, upon notice and for cause shown, enjoin or stay the commencement or continuance of any judicial proceeding to enforce any lien upon the estate until after final decree; and (11) may refer any matters to a special master, May refer matter to who may be one of the referees in bankruptcy, for consideration and report, either generally or upon specified issues, and allow such master a reasonable compensation and reimbursement for his services and actual and necessary expenses. The debtor shall have the right to Debtor's right to hearing. be heard on all questions. Any creditor or stockholder shall have the right to be heard on the question of the permanent appointment of any trustee or trustees, and on the proposed confirmation of any reorganization plan, and upon filing a petition for leave to intervene, on such other questions arising in the proceeding as the judge shall determine. In case a trustee is not appointed, the debtor shall in possession, subject continue in the possession of its property, and, if authorized by the judge, shall operate the business thereof during such period, fixed or indefinite, as the judge may from time to time prescribe, and shall have all the title to and shall exercise, consistently with the provisions of this section, all the powers of a trustee appointed pursuant to this section, subject at all times to the control of the judge, and to such limitations, restrictions, terms, and conditions as the judge may from time to time impose and prescribe. While officers. the debtor is in possession (a) its officers shall be entitled to receive only such reasonable compensation as the judge shall from time to time approve, and (b) no person shall be elected or appointed to any office, to fill a vacancy or otherwise, without the prior approval of the judge.

"(d) A plan of reorganization which has been approved by Plan of reorganization which has been approved by creditors of the debtor, whose claims would be affected by the plan, being not less than 25 per centum in amount of any class of creditors, and not less than 10 per centum in amount of all the claims against the debtor, or. if the debtor is not found by the judge to be insolvent,

Notice to creditors.

Proceedings may be extended or dismissed.

Liquidation.

Allowances for serv-

Appeals permitted.

Filling vacancies.

Plan of reorganiza-By creditor.

By stockholders.

By debtor.

Acceptance by two-thirds creditors and majority stockholders.

Provisos.

Statement of claims and shares purchased or transferred to be filed.

Filing waived deemed impractical.

Federal claims.

Amendments or objections permitted.

State's jurisdiction, if utility intrastate.

but is found unable to meet its debts as they mature, by stockholders whose interests would be affected by the plan, provided said amount is not less than 10 per centum of any class of stock outstanding and not less than 5 per centum of the total number of shares of all classes of stock outstanding, may be proposed by any creditor or by any stockholder, or without such approval by the debtor, at a hearing duly noticed for its consideration or for the consideration of any other plan of reorganization similarly proposed.

(e) (1) A plan of reorganization shall not be confirmed until it has been accepted in writing, whether before or after the filing of the petition or answer under this section, and such acceptance shall have been filed in the proceeding by or on behalf of creditors holding two thirds in amount of the claims of each class whose claims have been allowed and would be affected by the plan and by or on behalf of stockholders of the debtor holding a majority of the stock of each class: Provided, however, That such acceptance shall not be requisite Exceptions.

Creditor's claim unto the confirmation of the plan by any creditor or class of creditors affected.
Payment.

(a) whose claims are not affected by the plan, or (b) if the plan makes provision for the payment of their claims in cash in full, or (c) if provision is made in the plan for the protection of the interests, claims, or liens of such creditor or class of creditors in the manner provided in subdivision (b), clause (5), of this section:

And provided further, That such acceptance shall not be requisite to the confirmation of the plan by any stockholder or class of stockholders (1) if the judge shall have determined either that the debtor is insolvent, or that the interests of such stockholder or stockholders will not be affected by the plan, or (2) if provision is made in the plan for the protection of the interests of such stockholder or class of stockholders in the manner provided in subdivision (b), clause (4), of this section. With such acceptance there shall be set forth, verified in such manner as the judge shall require, what, if any, contracts of the debtor are executory in whole or in part, and what unexpired leases have been rejected and surrendered. With such acceptance there shall be filed a statement, verified in such manner as the judge shall require, showing what, if any, claims and shares of stock have been purchased or transferred by those accepting the plan after the commencement or in contemplation of the proceeding, and the circumstances of such purchase or transfer: Provided, however, That if the judge is satisfied that by reason of the number of securities outstanding and the extent of the public dealing therein the preparation of such a statement would be impractical, he may direct that it be not filed. If the United States of America is a creditor or stockholder, the Secretary of the Treasury is hereby authorized to accept or reject a plan in respect of the interests or claims of the United States.

Reorganization if debtor is a utility, under regulatory commission.

"(2) In case the debtor is a utility subject to the jurisdictive regulatory commission or commissions or other regulatory authority or authorities, created by the laws of the State or States in which the not be confirmed until (a) it shall be submitted to each such commission or authority having regulatory jurisdiction over the debtor, (b) an opportunity shall be afforded each such commission or authority to suggest amendments or objections to the plan, and (c) the judge shall consider such amendments or objections at a hearing at which each such commission or authority may be heard. In case the debtor is a public utility corporation wholly intrastate in character no court shall approve any plan of reorganization if the regulatory commission of such State having jurisdiction over such public utility certifies that the public interest is affected by said plan, unless said regulatory commission shall first approve of said plan

as to the public interest therein and the fairness thereof. If said Approval, if no adverse decision filed. regulatory commission shall not within thirty days or such additional period as the court may prescribe after the submission of a plan to it file said certificate it shall be deemed that the public interest

is not affected by said plan.

"(f) After hearing such objections as may be made to the plan, the Confirmation of plan; judge shall confirm the plan if satisfied that (1) it is fair and equitable and does not discriminate unfairly in favor of any class of creditors or stockholders, and is feasible; (2) it complies with the provisions of subdivision (b) of this section; (3) it has been accepted as required by the provisions of subdivision (e), clause (1) of this section; (4) the provisions of subdivision (e), clause (2), of this section have been complied with; (5) all amounts to be paid by the debtor or by any corporation or corporations acquiring the debtor's assets, and all amounts to be paid to committees or reorganization managers, whether or not by the debtor or any such corporation for services or expenses incident to the reorganization, have been fully disclosed and are reasonable, or are to be subject to the approval of the judge; (6) the offer of the plan and its acceptance are in good faith and have not been made or procured by any means or promises forbidden by this Act; and (7) the debtor, and every other corporation, issuing securities or acquiring property under the plan, is authorized by its charter or by applicable State or Federal laws, upon confirmation of the plan, to take all action necessary to carry out the the jurisdiction of a regulatory commission or commissions or other regulatory authorities greated by the large and the large an regulatory authority or authorities, created by the laws of the State or States in which the properties of the debtor are operated, all authorizations, approvals, or consents of each such commission or authority required by the laws of such State or States, have been obtained. Before or after a plan is confirmed, changes and modifications may be proposed therein by any party in interest and may be made with the approval of the judge after hearing upon notice to creditors and stockholders, subject to the right of any creditor or stockholder who shall previously have accepted the plan to withdraw his acceptance, within a period to be fixed by the judge and after such notice as the judge may direct, if, in the opinion of the judge, the change or modification will be materially adverse to the interest of such creditor or stockholder, and if any creditor or stockholder having such right of withdrawal shall not withdraw within such period, he shall be deemed to have accepted the plan as changed or modified: Provided, however, That the plan as changed or modified shall comply with the provisions of subdivision (b) of this section to provisions of subdivision (c) clause (1) of this section.

Changes to conform provisions of section. provisions of subdivision (e), clause (1), of this section, including acceptances by reason of failure to withdraw as hereinbefore provided, and the provisions of this subdivision (f), and of subdivision (e), clause (2), of this section, shall have been complied with in respect thereof. Upon confirmation of the plan by the judge, the upon confirmation of debtor and other corporation or corporations organized or to be upon confirmation of plan indige. organized for the purpose of carrying out the plan, shall have full power and authority to put into effect and carry out the plan and the orders of the judge relative thereto. The provisions of subdivisions orders of the judge relative thereto. The provisions of subdivisions and 1926, and 3 of schedule A of title VIII of the Revenue Act of 1926, and 1932. Issuance of securities, as amended by sections 721, 722, and 723 of the Revenue Act of making or delivery of 1932 and the provisions of sections 724 and 725 of the Revenue Act of from provisions of. rities or making or delivery of conveyances to make effective any plan 47, p. 272.

Modification of plan.

Plan binding upon all when confirmed.

"(g) Upon such confirmation the provisions of the plan and of the order of confirmation shall be binding upon (1) the debtor, (2) all stockholders thereof, including those who have not, as well as those who have, accepted it, and (3) all creditors, secured or unsecured, whether or not affected by the plan, and whether or not their claims shall have been filed, and, if filed, whether or not approved, including creditors who have not, as well as those who have, accepted it.

Execution of, under direction of judge

Necessary to effectuate. transfers

Final decree of discharge to be entered on termination of proceedings.

Securities issued pursuant to reorganization plan, exempt from operation of Securities Act of 1933.

Ante, p. 74.

Fraud excepted. Ante, p. 84

Debtor entitled to immediate possession, if court approves.

"(h) Upon final confirmation of the plan, the debtor and other corporation or corporations organized or to be organized for the purpose of carrying out the plan, shall have full power and authority to, and shall put into effect and carry out the plan and the orders of the judge relative thereto, under and subject to the supervision and control of the judge, and the property dealt with by the plan, when transferred and conveyed by the trustee or trustees to the debtor or the other corporation or corporations provided for by the plan, or, if no trustee has been appointed, when retained by the debtor pursuant to the plan or transferred by it to the other corporation or corporations provided for by the plan, shall be free and clear of all claims of the debtor, its stockholders and creditors, except such as may consistently with the provisions of the plan be reserved in the order confirming the plan or directing such transfer and conveyance or retention, and the court may direct the trustee or trustees, or if there be no trustee, the debtor and any mortgagee, the trustee of any obligation of the debtor, and all other proper and necessary parties, to make any such transfer or conveyance, and may direct the debtor to join in any such transfer or conveyance made by the trustee or trustees. Upon the termination of the proceedings a final decree shall be entered discharging the trustee or trustees, if any, making such provisions as may be equitable, by way of injunction or otherwise, and closing the case. Such final decree shall discharge the debtor from its debts and liabilities, and shall terminate and end all rights and interests of its stockholders, except as provided in the plan or as may be reserved as aforesaid. All securities issued pursuant to any plan of reorganization confirmed by the court in accordance with the provisions of this section, including, without limiting the generality of the foregoing, any securities issued pursuant to such plan for the purpose of raising money for working capital and other purposes of such plan and securities issued by the debtor or by the trustee or trustees pursuant to subdivision (c), clause (3), of this section, and all certificates of deposit representing securities of or claims against the debtor which it is proposed to deal with under any such plan, shall be exempt from all the provisions of the Securities Act of 1933, approved May 27, 1933, except the provisions of subdivision (2) of section 12, and section 17 thereof, and except the provisions of section 24 thereof as applied to any willful violation of said section 17.

Appointment of receiver or trustee of all or any part of the property of stay to institution of a corporation has been appointed by a Federal, State, or Territorial proceedings. court, whether before or after this amendatory Act takes effect a petition or answer may be filed under this section at any time thereafter by the corporation, or its creditors as provided in subdivision (a) of this section and if such petition or answer is approved, the trustee or trustees appointed under this section, or the debtor if no trustee is appointed, shall be entitled forthwith to possession of and vested with title to such property, and the judge shall make such orders as he may deem equitable for the protection of obligations incurred by the receiver or prior trustee and for the payment of such reasonable administrative expenses and allowances in the prior pro-

ceeding as may be fixed by the court appointing said receiver or prior trustee. If a receiver or trustee has been appointed by a Federal or State or Territorial court prior to the institution of a proceeding under this section, and such proceeding shall be dismissed under subdivision (c), clause (8), of this section, the judge may include in the order of dismissal appropriate orders directing the trustee or trustees, or the debtor if no trustee is appointed, to transfer possession of the debtor's property within the territorial jurisdiction of such court to the receiver or prior trustee so appointed, upon such terms as the judge may deem equitable for the protection of obligations incurred by any trustee or trustees appointed under this section, and for the payment of administrative expenses and allowances in the proceeding hereunder. For the purposes of this "Federal court" consection the words 'Federal court' shall include the district courts strued for purposes of section. of the United States and of the Territories and possessions to which this amendatory Act is or may hereafter be applicable, the Supreme Court of the District of Columbia, and the United States Court of Alaska, and the District Court of the United States for the Territory of Hawaii.

Retransfer, if dismissed.

"(j) A certified copy of the final decree or of an order confirming Certified copy of conaplan of reorganization, or of any other decree or order entered in firming order; evidence. a proceeding under this section, shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the decree or order was made. A certified copy of an order directing the transfer of the property dealt with by the plan as provided in subdivision (h) of this section shall be evidence of the transfer of title accordingly, and if recorded shall impart the same notice that

a deed, if recorded, would impart.

"(k) If an order is entered directing the trustee or trustees to Proceedings preliquidate the estate pursuant to the provisions of clause (8) of sub-of debtor's estate, or division (c) of this section: (1) The case may be referred to a dered.

The case may be referred to a dered.

The case may be referred to a dered. vided in section 40; (2) the first meeting of creditors shall be held as provided in section 55, upon notice as provided in section 58; (3) a trustee or trustees shall be appointed as provided in section 44, and be compensated as provided in section 48; (4) claims which are provable under section 63 may be proved as provided in section 57, except that the time within which proof may be made shall not expire until six months after the date of the last publication of the notice of the first meeting; (5) debts shall be entitled to priority as provided in section 64; (6) sales shall be made as provided in subdivision (b) of section 70; (7) dividends may be declared and paid as provided in section 65. None of the sections enumerated in this subdivision (k), except subdivisions (g), (i), (j), and (m) of section 57, and subdivisions (a) and (e) of section 70, shall apply to proceedings instituted under this section 77B unless and until an order has been entered directing the trustee or trustees to liquidate the estate. All other provisions of this Act, except such as are inconsistent with the provisions of this section 77B, shall apply to proceedings instituted under this section, whether or not an order to liquidate the estate has been entered. For the purposes of such application, provisions relating to 'bankrupts' shall be deemed to relate also to 'debtors'; 'bankruptcy proceedings' or 'proceedings in bankruptcy' shall be deemed to include proceedings under this section; the date of the order approving the petition or answer under this section shall be taken to be the date of adjudication, and such order shall have the same consequences and effect as an order of adjudication.

Prohibitions. Denying right to affiliate with labor organization.

Requiring prospec-tive employee to agree not to join labor union.

Corporation's right to petition if operating or owning railroad.

Proviso.
Inoperative, if revenue derived is not more than 20 percent.

Jurisdictional provi-

Effective date of section.

Application to pending proceedings.

Creditors' meeting. Vol. 47, p. 1468.

"(1) No judge, debtor, or trustee acting under this section shall deny or in any way question the right of employees on the property under the jurisdiction of the judge, to join the labor organization of their choice, and it shall be unlawful for any judge, debtor, or trustee to interfere in any way with the organizations of employees, or to use funds under such jurisdiction, in maintaining so-called company unions, or to coerce employees in an effort to induce them to join or remain members of such company unions.

"(m) No judge, debtor, or trustee acting under this section shall require any person seeking employment on the property under the jurisdiction of the judge to sign any contract or agreement promising to join or to refuse to join a labor organization; and if such contract has been enforced on the property prior to the property coming under the jurisdiction of said judge, then the judge, debtor, or trustee, as soon as the matter is called to his attention, shall notify the employees by an appropriate order that said contract has been discarded and is no longer binding on them in any way.

"(n) Nothing contained in this section shall be construed or be deemed to affect or apply to the stockholders, creditors, or officers of any corporation operating or owning a railroad or railroads, railway Municipally owned. or railways, owned in whole or in part by any municipality and/or owned or operated by a municipality, or under any contract to any municipality by or on its behalf or in conjunction with such municipality pality under any contract, lease, agreement, certificate, or in any other manner provided by law for such operation: Provided, however, That this paragraph shall not apply to or affect any corporation or the stockholders, creditors, or officers thereof, if not more than 20 per centum of its operating revenue is derived from such operations.

"(o) In proceedings under this section and consistent with the provisions thereof, the jurisdiction and powers of the court, the duties of the debtor and the rights and liabilities of creditors, and of all persons with respect to the debtor and its property, shall be the same as if a voluntary petition for adjudication had been filed and a decree of adjudication had been entered on the day when the debtor's petition or answer was approved.

"(p) This section shall take effect and be in force from and after

the date of the approval of this amendatory Act and shall apply as fully to debtors, their stockholders and creditors, whose interests or debts have been acquired or incurred prior to such date, as to debtors, their stockholders and creditors, whose interests or debts are acquired or incurred after such date. Proceedings under this section may be taken in proceedings in bankruptcy which are pending on the effective date of this amendatory Act."

Sec. 2. Section 74, subdivision (e), of such Act of July 1, 1898, as Vol. 47, p. 1468. amended, is amended by adding a new sentence at the end of the Debtors proposal for subdivision, to read as follows: "After the first meeting of the tension. creditors as provided in subdivision (c), the debtor fails to obtain the acceptance of a majority in number of all creditors whose claims are affected by an extension proposal representing a majority in amount, the debtor may submit a proposal for an extension including a feasible method of financial rehabilitation for the debtor which is for the best interest of all the creditors, including an equitable liquidation for the secured creditors whose claims are affected." Said section 74, as amended by the Act of March 3, 1933, shall Vol. 47, p. 1467. Said section 74, as amended by the Act of March 5, 1665, Erronal representative of deceased include the personal representative of a deceased individual for cluded for settlement the purpose of effecting settlement or composition with the creditors

of the estate: Provided, however, That such personal representative shall first obtain the consent and authority of the court which has essary. assumed jurisdiction of said estate, to invoke the relief provided by said Act of March 3, 1933. The first sentence of subdivision (m) of said section 74 is amended to read as follows: "The filing of a Filing debtor's petidebtor's petition or answer seeking relief under this section shall exclusive jurisdiction of subject the debtor and his property, wherever located, to the exclusive jurisdiction of the court in which the order approving the petition or answer as provided in subdivision (a) is filed, and this shall include property of the debtor in the possession of a trustee under a trust deed or a mortgage, or a receiver, custodian or other officer of any court in a pending cause, irrespective of the date of appointment of such receiver or other officer, or the date of the institution of such proceedings: Provided, That it shall not affect any proceeding in Proceeding in which final decree entered not any court in which a final decree has been entered."

SEC. 3. In the administration of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, the district court or any judge thereof shall, in its or his discretion, so apportion appointments of receivers and trustees among persons, firms, or corporations, or attorneys therefor, within the district, eligible thereto, as to prevent any person, firm, or corporation from having a monopoly of such appointments within such district. No person shall be ingjudge. appointed as a receiver or trustee who is a near relative of the judge of the court making such appointment. The compensation allowed a receiver or trustee or an attorney for a receiver or trustee shall in no case be excessive or exorbitant, and the court in fixing such compensation shall have in mind the conservation and preservation of the estate of the bankrupt and the interests of the creditors therein.

SEC. 4. (a) Section 63 (a) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, is amended to read as follows: "(a) Debts of the bankrupt may be proved and allowed against his estate which are (1) a fixed liability, as evidenced by a judgment or an instrument in writing, absolutely owing at the time of the filing of the petition against him, whether then payable or not, with any interest thereon which would have been recoverable at that date or with a rebate of interest upon such as were not then payable and did not bear interest; (2) due as costs taxable against an involuntry 1 bankrupt who was at the time of the filing of the petition against him plaintiff in a cause of action which would pass to the trustee and which the trustee declines to prosecute after notice; (3) founded upon a claim for taxable costs incurred in good faith by a creditor before the filing of a petition in an action to recover a provable debt; (4) founded upon an open account, or upon a contract express or implied; (5) founded upon provable debts reduced to judgments after the filing of the petition and before the consideration of the bankrupt's application for a discharge, less costs incurred and interest accrued after the filing of the petition and up to the time of the entry of such judgments; (6) founded upon an award of an industrial accident commission, or other commission, sion, etc. body or officer, of any State or Territory having power or jurisdiction to make awards as workmen's compensation in case of injury or death for injury prior to adjudication; (6½) the amount of any damages, as evidenced by a judgment of a court of competent jurisdiction, in any action for negligence instituted prior to adjudication of defendant in such action in bankruptcy and pending at the time

affected.

Receivers, etc., in bankruptcy.

Apportionment of appointments to prevent a monopoly.

Relative of appoint-

Pay of receiver, etc.

Provable debts. Vol. 30, p. 562.

Fixed liability.

Costs taxable against involuntary bankrupt.

Sundry claims.

Founded on indus-trial accident commis-

Negligence.

Provisos. Court's approval nec-

¹ Sc in original.

assignment.

Applicability.

Foregoing to have priority.

Bankrupt estates.

Judgments, attachments and liens obtained against.

Conciliation commissioners. Franking privilege. Vol. 47, p. 1470.

Railroad reorganiza-

Causes heretofore not removable to Federal court to be so re-manded Vol 47, p. 1474.

of the filing of petition in bankruptcy, whether voluntary or involun-Future rents; limitatary; and (7) claims for damages respecting executory contracts including future rents whether the bankrupt be an individual or a corporation, but the claim of a landlord for injury resulting from the rejection by the trustee of an unexpired lease of real estate or for damages or indemnity under a covenant contained in such lease shall in no event be allowed in an amount exceeding the rent reserved by the lease, without acceleration, for the year next succeeding the date of the surrender of the premises plus an amount equal to the rovisos. our examination of unpaid rent accrued up to said date: Provided, That the court shall scrutinize the circumstances of an assignment of future rent claims and the amount of the consideration paid for such assignment in determining the amount of damages allowed assignee hereunder: Provided further, That the provisions of this clause (7) shall apply to estates pending at the time of the enactment of this amendatory Act."

(b) The provisions of clause (6) of section 63 (a) of such Act of July 1, 1898, as amended by this section, shall apply to estates pending at the time of the enactment of this Act, and claims provided for in such clause (6) shall have the priority provided for in clause (7) of section 64 (b) of such Act of July 1, 1898, as amended.

Sec. 5. Section 67 (f) of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United

States", approved July 1, 1898, as amended, is amended to read as follows: "That all levies, judgments, attachments, or other liens, obtained through legal proceedings against a person who is insolvent, at any time within four months prior to the filing of a petition in bankruptcy against him, and any bond which may be given to dis-solve any such lien so created, shall be deemed null and void in case he is adjudged a bankrupt, and the property affected by the levy, judgment, attachment, or other lien, and any nonexempt property of his which he shall have deposited or pledged as security for such bond or to indemnify any surety thereon, shall be deemed wholly discharged and released from the same, and shall pass to the trustee as a part of the estate of the bankrupt, unless the court shall, on due notice, order that the right under such levy, judgment, attachment, or other lien shall be preserved for the benefit of the estate; and thereupon the same may pass to and shall be preserved by the trustee for the benefit of the estate as aforesaid. And the court may order Proviso.
Title of purchaser.

Such conveyance as shall be necessary to carry the purposes of this section into effect: Provided, That nothing herein contained shall section into effect: Provided, That nothing herein contained shall have the effect to destroy or impair the title obtained by such levy, judgment, attachment, or other lien, of a bona fide purchaser for value who shall have acquired the same without notice or reasonable cause for inquiry.

Sec. 6. Conciliation commissioners appointed under section 75 of such Act of July 1, 1898, as amended, shall be entitled to transmit in the mails free of postage under cover of a penalty envelope all matters which relate exclusively to the business of the Government,

including notices to creditors.

Sec. 7. Proceedings under section 77 of chapter 8, amendment to the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, approved March 3, 1933, shall not be grounds for the removal of any cause of action to the United States district court which was not removable before the passage and approval of this section, and any cause of action heretofore removed from a State court on account of this section shall be remanded to the court from which it was removed, and such order of removal vacated.

Sec. 8. That the first sentence of subsection (a) of section 75 of conciliation core the Act of July 1, 1898, entitled "An Act to establish a uniform Vol. 47, p. 1470. system of bankruptcy throughout the United States" as amended,

is amended to read as follows:

"Within thirty days after the enactment of this Act every court bankruptcy courts in of bankruptcy of which the jurisdiction or territory includes a every country having country or country bankruptcy of which the jurisdiction or territory includes a every country having an aggregative of the second in the sec county or counties having an agricultural population (according to the last available United States census) of five hundred or more farmers shall appoint one or more referees to be known as 'conciliation commissioners', one such conciliation commissioner to be appointed for each county having an agricultural population of five hundred or more farmers according to said census: Provided further, hundred or more farmers according to said census: Provided further, Proviso. Inclusion of counties That where any county in any such district contains a smaller num-unprovided for. ber of farmers according to said census, for the purposes of this paragraph such county shall be included with one or more adjacent counties where the population of the counties so combined includes five hundred or more farmers, according to said census."

Sec. 9. That the second sentence of subdivision (b) of section 75 of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows: "The conciliation commissioner shall receive as compensation for his services, including all expenses, a fee of \$25 for each case docketed and submitted to him, to be paid

out of the Treasury."

SEC. 10. That section 76 of the Act of July 1, 1898, as amended,

is amended to read as follows:

"Sec. 76. Extensions made pursuant to the foregoing provisions Obligations of performs of this chapter shall extend the obligation of any person who is secondarily liable for or who may have insured or guaranteed such debt or debts, or any part thereof, or bonds issued upon the security of same, and a copy of the order confirming such extension, certified as required by the provisions of law with reference to judgments and proceedings in courts of the United States, shall be sufficient evidence that such extension has been confirmed in any suit or proceeding brought against any such person so liable."

Approved, June 7, 1934, 12 o'clock, noon.

[CHAPTER 425.]

AN ACT

To amend an Act entitled "An Act granting a charter to the General Federation of Women's Clubs."

June 7, 1934. [S. 2696.] [Public, No. 297.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 2 and 4 of the Act entitled "An Act granting a charter to the General Federation of Women's Clubs", approved March 3, 1901, as amended by an Act approved April 28, 1904, be, and the same are hereby, amended to read as follows:

devise, bequest, or otherwise, hold, purchase, and convey such real creased. and personal estate as shall or may be required for the purpose of its incorporation not exceeding \$1,500,000, with authority in said corporation, should it be by it deemed necessary so to do, to mortgage or otherwise encumber the real estate which it may hereafter own or acquire and may give therefor such evidences of indebtedness as such corporation may decide upon.

"Sec. 4. That said corporation be, and it is hereby, authorized to hold its meetings at such places outside of Washington, in the District of Columbia, as it from time to time may deem best."

Approved, June 7, 1934.

Conciliation commis-

Compensation.

Vol. 47, p. 1474.

General Federation of Women's Clubs. Vol. 31, p. 1439; Vol. 42, p. 490.

Places of meeting.

[CHAPTER 426.]

AN ACT

June 7, 1934. [S. 3524.] [Public, No. 298.]

To amend an Act of Congress approved February 9, 1893, entitled "An Act to establish a court of appeals for the District of Columbia, and for other

United States Court of Appeals for the Dis-trict of Columbia. Vol. 27, p. 434.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the court established by the Act of February 9, 1893 (27 Stat. 434), entitled "An Act to establish a court of appeals for the District of Columbia, and for other purposes", shall hereafter be known as the United States Court of Appeals for the District of Columbia.

Approved, June 7, 1934.

[CHAPTER 427.]

JOINT RESOLUTION

June 7, 1934. [H.J.Res. 352.] [Pub. Res., No. 30.]

To provide funds to enable the Secretary of Agriculture to cooperate with States in control of chinch bugs.

Resolved by the Senate and House of Representatives of the

Provisos.
Objects specified.

Chinch-bug control. United States of America in Congress assembled, That to enable the Secretary of Agriculture to apply such methods of control of chinch bugs as in his judgment may be essential to accomplish such purposes, in cooperation with such authorities of the States concerned, organizations, or individuals, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until December 31, 1934, the sum of \$1,000,000: Provided, That this appropriation shall be used for expenditures of general administration and supervision, purchase and transportation of materials used for the control of chinch bugs, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary, including the employment of persons and means in the District of Columbia and elsewhere and rent outside the District of Columbia and further Electric States. Cooperating State responsible for local distribution, etc.

Columbia: Provided further, That the cooperating State shall be responsible for the local distribution and utilization of such materials on privately owned lands, including full labor costs: Provided further, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for chinch-bug control in any State until such State has provided the necessary organization for the cooperation herein indicated: Provided further, Open-market pur That procurements under this appropriation may be made by open-Open-market purchases.

R.S., sec. 3709, p. 733.
U.S.C., p. 1309.

That procurements under this appropriation may be made by open market purchase notwithstanding the provisions of section 3709, Revised Statutes: And provided further, That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

Condition.

Approved, June 7, 1934.

[CHAPTER 429.]

AN ACT

June 8, 1934. [S. 2692.] [Public, No. 299.]

Relating to the record of registry of certain aliens.

Be it enacted by the Senate and House of Representatives of the Registry of certain aliens; political or religious refugees.

Vol. 45, p. 1551.

Reflected by the Sentice that Poisse of Representatives of the Sentice that Poisse of the Sentice t 1929, is amended by adding to the end thereof the following:

Application.

"Upon application filed with the Commissioner General of Immigration within one year after the approval of this Act such registry may also be made as to any alien not ineligible to citizenship

who entered the United States prior to July 1, 1933, in whose case there is no record of admission for permanent residence and (a) who prior to that date could not be deported to any country to which it was lawful to deport him, and (b) who was in the United States as a bona fide political or religious refugee, if such alien shall make a Conditions and requirements. satisfactory showing to the Commissioner General of Immigration, in accordance with regulations prescribed by the Commissioner General of Immigration, with the approval of the Secretary of Labor,

"(1) Has not been out of the United States since entry;

"(2) Is a person of good moral character;
"(3) Is not subject to deportation under any law other than the

Immigration Act of 1924; and

"(4) Did not, before July 1, 1933, withhold from the immigration authorities of the United States necessary information concerning his personal history sought in connection with their application to the authorities of any foreign country for permission to deport him Vol. 43, p. 162.

Approved, June 8, 1934.

[CHAPTER 430.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

June 8, 1934. [S. 3641.] [Public, No. 300.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times Saint Lawrence for commencing and completing the construction of a bridge across Time extended for the Saint Lawrence River at or near Ogdensburg, New York, authorbridging, at Ogdensized to be built by the Saint Lawrence Bridge Commission by an Ante, p. 141. Act of Congress approved June 14, 1933, are hereby extended one and three years, respectively, from June 14, 1934.

Sec. 2. The right to alter, amend, or repeal this Act is hereby

Ante, p. 141.

expressly reserved.

Amendment.

Approved, June 8, 1934.

[CHAPTER 442.]

AN ACT

Be it enacted by the Senate and House of Representatives of the

To modify the effect of certain Chippewa Indian treaties on areas in Minnesota.

June 11, 1934. [S. 2980.] [Public, No. 301.]

United States of America in Congress assembled, That on and after Minnesota.

Chippewa Indians in the passage of this Act lands in Minnesota ceded to the United States by the treaty of September 30, 1854 (10 Stat.L. 1109), "Indian country." between the United States and the Chippewa Indians of Critical Indians of September 30, 1854 (10 Stat.L. 1109), "Indian country." between the United States and the Chippewa Indians of Lake 100 Indian country." Vol. 10, pp. 1109, 1109 Superior and the Mississippi and by the treaty of February 22, 1855 (10 Stat.L. 1165), between the United States and the Mississippi Bands of Chippewa Indians, shall no longer be considered as "Indian country" for the purposes of article 7 of said treaties: Provided, That in that portion in the said State of Minnesota affected by this Act the Indian liquor laws shall continue to apply laws.

Application of liquor to the sale, wift, harter, exchange, and so fact. to the sale, gift, barter, exchange, and so forth, of liquors to ward Indians of the classes set forth in the Act of January 30, 1897 (29)

Vol. 29, p. 506.

Stat.L. 506), and to the manufacture or sale of liquors on individual Indian allotments or other individual Indian-owned lands while the title to same is held in trust by the United States or while the same shall remain inalienably by the Indian without the consent of some governmental officer.

Approved, June 11, 1934.

[CHAPTER 443.]

AN ACT

June 11, 1934. [H.R. 5334] [Public, No. 302.]

To amend the third clause of section 14 of the Act of March 3, 1879 (20 Stat. 359; U.S.C., title 39, sec. 226).

Be it enacted by the Senate and House of Representatives of the Second-class Postal Service.

Vol. 20, p. U.S.C., p. 1249.

No. 20, p. 2 U.S.C., p. 1249.

Mimeograph, etc. productions not regarded by the addition of the following sentence: "Provided, That publications produced by the stencil, mimeograph or heaterward by the stencil, mimeograph, or hectograph process or in imitation of typewriting shall not be regarded as printed within the meaning of this clause. Approved, June 11, 1934.

[CHAPTER 444.]

AN ACT

June 11, 1934 [H.R. 9180.] [Public, No. 303.]

Relating to the incorporation of Columbus University of Washington, District of Columbia, organized under and by virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia.

District of Columbia. Columbus University, incorporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporation of the Columbus University of Washington, District of Columbia, under chapter 18 of the Code of Laws of the District of Columbia, be, and the same is hereby, approved and confirmed, except as herein specifically altered.

Trustees, etc.

Sec. 2. The number of trustees for the management of said corporation shall be not more than fourteen and not less than twelve and at least two of whom shall be members of each existing council of the Knights of Columbus, each of whom shall be a member of the District of Columbia branch of the fraternal organization known and designated as the "Knights of Columbus"; that J. Fred Brady, John E. Burns, W. Francis Delaney, John P. Dunn, William G. Feely, G. E. Herring, George F. Howell, Harold Francis Jones, William E. Leahy, James P. McKeon, Walter I. Plant, T. J. Quirk, and M. J. Willcoxon shall constitute the original board of trustees under this Act; that the board of trustees shall elect, from among themselves, one member to be president, one member to be vice president, one member to be treasurer, and one member to be secretary of said corporation; that the board of trustees shall elect, from among themselves, one member to be chairman, one member to be vice chairman, and one member to be secretary of the board of trustees; that at the first meeting of the board subsequent to the passage of this Act the trustees shall be divided into three classes, the members of the first class to serve for a period of three years, the members of the second class to serve for a period of four years, and the members of the third class, which class shall include the president, vice president, treasurer, and secretary of the corporation, to serve for a period of five years; that the said trustee shall serve for the periods mentioned and/or until their successors are designated, the power and designation being in the board of trustees; that the number of professorships which may be established by said corporation shall be left to the discretion of the board of trustees who shall have the power to establish ordinances and bylaws for the conduct of the business of the corporation, or to alter, repeal, and amend the same, and also power to frame laws and regulations to govern the faculty and students in all departments thereof and to

designate such professors and lecturers as they shall deem necessary and with such salaries and duties as the said board of trustees shall deem proper: Provided, however, That no member of the board of trustees, except the president, shall serve in a teaching capacity in the university.

Sec. 3. The said corporation shall adopt a common seal, under and by which all deeds, diplomas, and acts of the said university or corporation shall pass and be authenticated, and the same seal at their pleasure to break and alter, or to devise a new one.

SEC. 4. Persons of every religious denomination shall be eligible ter. Nonsectarian characto membership on the faculty and that no person shall be refused admittance to the university as a pupil, or denied any of the privileges, immunities, or advantages thereof, for or on account of his or her sentiments in matters of religion.

SEC. 5. The funds, moneys, and properties of the corporation shall be held in the name of Columbus University and that the funds or the income of the corporation, or any part thereof, shall be used for no purpose or object other than to promote and advance the best interests of Columbus University.

SEC. 6. No institution of learning hereafter incorporated in the Exclusive use of District of Columbia shall use in or as its title, in whole or in part, the words "Columbus University."

Sec. 7. Nothing in this Act contained shall be so construed as to prevent Congress from altering, amending, or repealing the same.

Approved, June 11, 1934.

Funds.

Amendment.

[CHAPTER 445.]

AN ACT

Relating to deposits in the United States of public moneys of the government of the Philippine Islands.

June 11, 1934. [H.R. 9280.] [Public, No. 304.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary tions as he may from time to time prescribe, deposits of public moneys of the government of the Philippine Islands and to pay out of any funds in the Treasury not otherwise appropriated. on any or all of such deposits, other than demand deposits, at such rate or rates, not in excess of 2 per centum per annum, as the Secretary of the Treasury may from time to time prescribe.

Approved, June 11, 1934.

Philippine Islands.

[CHAPTER 446.]

AN ACT

To amend section 32 of the Emergency Farm Mortgage Act of 1933.

June 11, 1934. [S. 3540.] [Public, No. 305.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth Mortgage Act, amend-sentence of section 32 of the Emergency Farm Mortgage Act of 1933 ment.

Redemptions is amended by striking out "which has been foreclosed at any time between July 1, 1931, and the date of the enactment of this Act; or which is foreclosed after the enactment of this Act.".

Approved, June 11, 1934.

Redemptions.

[CHAPTER 447.]

AN ACT

June 11, 1934. [H.R. 5522.] [Public, No. 306.]

To amend the Standard Baskets Act of August 31, 1916, to provide for a one-pound Climax basket for mushrooms.

Standard Baskets United States of America in Congress assembled, That section 1 of Vol. 39, p. 673; Vol. the Act entitled "An Act to fix standards for Climax baskets for U.S.C., p. 377; Supp. grapes and other containers for small family. Be it enacted by the Senate and House of Representatives of the baskets and other containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916, is amended by adding at the end thereof the following new paragraph:

Climax baskets for mushrooms.

"The standards for Climax baskets for mushrooms shall be those set forth above, except that a one-pound Climax basket of the following dimensions shall be standard for mushrooms when plainly stamped or marked on the side of the basket with the words 'for mushrooms only': Length of bottom piece, seven and three fourths inches; width of bottom piece, three and three sixteenths inches; thickness of bottom piece, three eighths of an inch; height of basket, three and five eighths inches; top of basket, length, nine and three eighths inches; width, four and three eighths inches; all outside measurements. Basket to have a cover four and three eighths by

Dimensions.

nine and three eighths inches when cover is used."

Unlawful uses.

Sec. 2. Section 3 of such Act of August 31, 1916, is amended by inserting immediately before the semicolon a comma and the following: "or to use in any such shipment for any commodity other than mushrooms the one-pound Climax basket provided for in section 1 of this Act."

Effective date.

SEC. 3. This Act shall take effect two months after the date of its enactment.

Approved, June 11, 1934.

[CHAPTER 465.]

AN ACT

June 12, 1934. [S. 1780.] [Public, No. 307.]

To provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes.

District of Columbia Alley Dwelling Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the President, in the interest of public health, comfort, morals, safety, and welfare, to provide for the discontinuance of the use as dwellings of buildings situated in alleys and to eliminate the hidden communities in inhabited alleys of the District of Columbia, and to carry out the policy declared in the Act approved May 16, 1918, as 30; Vol. 42, p. 837. amended, of caring for the alley population of the District of Colum-Authority of Presi-bia, the President is hereby authorized and empowered, within the limits of the amounts herein authorized-

Vol. 33, p. 733; Vol. 38, p. 716; Vol. 40, p. 550; Vol. 42, p. 837.

Post, p. 932. Acquisition of inhabited alley property.

(a) To purchase, or acquire by condemnation or gift, any land, buildings, or structures, or any interest therein, situated in or adjacent to any inhabited alley in the District of Columbia, and such other land, buildings, or structures, or any interest therein, within any square containing an inhabited alley as he may determine to be necessary for the replatting and improvement of said square pursuant to the provisions of this Act;

Replat and improve lands so acquired

(b) To replat any land acquired under this Act; to pave or repave any street or alley thereon; to construct sewers and water mains therein; to install street lights thereon; to demolish, move, or alter any buildings or structures situated thereon and erect such buildings or structures thereon as deemed advisable: Provided, however, That the same shall be done and performed in accordance tions to govern. with the laws and municipal regulations of the District of Columbia

applicable thereto;

(c) To lease, rent, maintain, equip, manage, exchange, sell, or convey any such lands, buildings, or structures upon such terms and conditions as he may determine: *Provided*, That if any such land. Proviso. Transfer to District, is required for the purposes of the government of the District of the covernment purposes. Columbia such land may be transferred to the said government upon payment to the Authority of the reasonable value thereof; and

(d) To aid in providing, equipping, managing, and maintaining houses and other buildings, improvements, and general community limited dividend corutilities on the property acquired under the provisions of this Act, porations. by loans, upon such terms and conditions as he may determine, to limited dividend corporations whose dividends do not exceed 6 per centum per annum, or to home owners to enable such corporations or home owners to acquire and develop sites on the property: Provided, however, That no loan shall be made at a lower rate of interest than 5 per centum per annum, and that all such loans shall be secured by reserving a first lien on the property involved for the benefit of the United States.

SEC. 2 (a) The President may designate, for the purpose of President may designate carrying out the provisions of this Act, such official or agency of agency. the Government of the United States or of the District of Columbia (hereinafter referred to as "the Authority") as in his judgment "To be referred to as "the Authority"; powis deemed necessary or advantageous, and the Authority shall have ers. or obtain all powers necessary or appropriate therefor, including the employment of necessary personal services; but (1) all plans Approval of replating plans; method of replating and/or method of condemnation under the provisions condemnation of this Act shall be submitted to and receive the written approval of the National Capital Park and Planning Commission and of the Board of Commissioners of the District of Columbia: Provided, Provided, Failure to formally however, That (a) failure of the National Capital Park and Plan-approve or disapprove. ning Commission or of the Board of Commissioners of the District of Columbia to formally approve or disapprove in writing within sixty days after a plan has been submitted shall be equivalent to a formal approval, and (b) disapproval shall be accompanied by a Reasons to be stated, written statement giving all the reasons for disapproval; and (2) any plan which shall involve action by any department, bureau, any plan which shall involve action by any department, bureau. Plan involving action by agency of the United States or of the District of Columbia shall trict Governments. be made after consultation with such department, bureau, or agency.

(b) In the event condemnation proceedings are required to carry out the provisions of this Act the same shall be conducted in accordance with the provisions of the Act entitled "An Act to provide for the acquisition of land in the District of Columbia for the use of the United States", approved March 1, 1929.

(c) If the Authority determines in the case of any alley that it will be more advantageous to proceed in accordance with sections 1608 to 1610, inclusive, of the Code of Laws of the District of Columbia, the Commissioners of the District of Columbia shall be notified of such determination and proceedings shall then be had as provided in such sections for alleys and minor streets, except that if the total amount of damages awarded by the jury and the cost and expenses of the proceedings be in excess of the total amount of the assessment for benefits, such excess shall be borne and paid by the Authority.

SEC. 3. (a) The President is hereby authorized, in his discretion, to make immediately available to the Authority for its lawful uses

regula-

Proviso. Interest rate on loans.

Condemnation proceedings. Vol. 45, p. 1437

Vol. 31, pp. 1429, 1430,

Fund allocated.

Ante, pp. 200, 275.

"Conversion of in-habited alleys fund." Additional sums may be borrowed.

Use as a revolving

fund

Availability; annual appropriation after 1935.

Limitation on property payments.

Plans to be expedited.

Reports.

Occupying any alley dwelling after July 1, 1944, unlawful.

Construction hereaf-ter forbidden.

Punishment for vio-

Detailed report to be

Complete report pon completion of

Accomplishment by July 1, 1944.

Loans extend time.

and as needed, from the allocation made from the appropriation to carry out the purposes of the National Industrial Recovery Act, contained in the Fourth Deficiency Act, fiscal year 1933, now carried under the title, "National Industrial Recovery, Federal Emer-Administration of Public Works, Housing, 1933-1935", symbol 03/5666, not to exceed \$500,000 of any amount thereof dedicated for low-cost housing and slum-clearance projects in the District of Columbia, to be set aside in the Treasury and be known as "Conversion of inhabited alleys fund" (hereinafter referred to as the "fund").

(b) The Authority is hereby authorized and empowered to borrow such moneys from individuals or private corporations as may be secured by the property and assets acquired under the provisions of this Act, and such moneys, together with all receipts from sales, leases, or other sources, shall be deposited in the fund and shall be available for the purposes of this Act.

(c) The fund shall remain available until June 30, 1935, and thereafter shall be available annually in such amount as may be specified in the annual appropriation Acts.

(d) The total amount paid for property or properties acquired in any square shall not exceed 30 per centum over and above the present assessed value of all the property or properties acquired in any square to carry out the provisions of this Act.

Sec. 4. (a) The objects set forth in section 1 of this Act shall be accomplished as rapidly as feasible and to this end the Authority

shall, in its report for the fiscal year ending June 30, 1934, set forth what it purposes to do during the next succeeding fiscal year. In each succeeding annual report it shall set forth its proposals for the next year.

(b) On and after July 1, 1944, it shall be unlawful to use or occupy any alley building or structure as a dwelling in the District of Columbia.

(c) No alley dwelling shall hereafter be constructed in the District of Columbia, nor shall any building or structure be moved, altered, or converted for use as an alley dwelling.

(d) Any person violating any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than \$500 or by imprisonment for not more than six months, or both. Each week of seven days of the continuance of any such violation shall constitute a separate offense.

Sec. 5. (a) The Authority shall make a report to the President, which he shall transmit to Congress at the beginning of each regular session, giving a full and detailed account of all operations under

the provisions of this Act for the preceding fiscal year.

(b) Upon completion of the work contemplated by this Act the President shall submit a complete report to Congress giving a full and detailed account of all operations for the entire period of operation. If such work is not completed by July 1, 1944, the Statement and recommendation if not President shall, on July 1, 1944, or at the opening of the next regucompleted within time lar session of Congress after such date, make a report to Congress
scheduled. covering the operations under this Act for the entire period to July 1, 1944, including a statement of what further work remains to be done, and recommendation for further legislation if in his opinion such legislation is necessary.

(c) It is hereby declared to be the purpose and intent of Congress that the objects set forth in section 1 of this Act shall be under, may accomplished, if possible, on or before July 1, 1944, except that loans made under this Act may run for periods extending beyond such time.

SEC. 6. There shall be published three times each year during the and tenants. owners month of January in a newspaper of general circulation published in the District of Columbia a notice to owners and tenants of alley dwellings and of other property in squares containing inhabited alleys, that alley dwellings in such squares may be demolished, removed, or vacated, and that the squares may be replatted on or before July 1, 1944.

Sec. 7. As used in this Act—

(a) The term "alley" means (1) any court, thoroughfare, or passage, private or public, less than thirty feet wide at any point; and (2) any court, thoroughfare, or passage, private or public, thirty feet or more in width, that does not open directly with a width of at least thirty feet upon a public street that is at least forty feet wide from building line to building line.

(b) The term "inhabited alley" means an alley in or appurtenant

to which there are one or more alley dwellings.

(c) The term "alley dwelling" means any dwelling fronting upon or having its principal means of ingress from an alley. This definition does not include an accessory building, such as a garage, with living rooms for servants or other employees; if the principal not included entrance to the living rooms of the living ro entrance to the living rooms of the accessory building is from the street property to which it is accessory.

(d) The term "dwelling" means any building or structure used

or designed to be used in whole or in part as a living or a sleeping

place by one or more human beings.

(e) The term "person" includes any individual, partnership, cor-

poration, or association.

SEC. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and the application thereof to other persons and circumstances shall not be affected thereby.

SEC. 9. All Acts and parts of Acts contrary to the provisions of Inconsistent laws rethis Act or inconsistent therewith be, and the same are hereby, repealed.

SEC. 10. This Act may be cited as the "District of Columbia Alley

Dwelling Act."

Approved, June 12, 1934.

[CHAPTER 466.]

AN ACT

To revise air-mail laws, and to establish a commission to make a report to the [S. 3170.] [Public, No. 308.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 29, 1930 (46 Stat. 259, 260; U.S.C., Supp. VII, title 39, secs. Vol. 46, p. 259; 464, 465c, 465d, and 465f), and the sections amended thereby are selected. hereby repealed.

SEC. 2. (a) Effective July 1, 1934, the rate of postage on air mail creased.

All be 6 cents for each ounce or fraction thereof.

Act. Definitions. shall be 6 cents for each ounce or fraction thereof.

(b) When used in this Act—
(1) The term "air mail" means mail of any class prepaid at the rate of postage prescribed in subsection (a) of this section.

(2) The term "person" includes an individual, partnership,

association, or corporation.

(3) The term "pilot" includes copilot.

SEC. 3. (a) The Postmaster General is authorized to award con- Contracts for carrytracts for the transportation of air mail by airplane between such

Definitions. "Alley."

"Inhabited alley." "Alley dwelling."

"Dwelling."

"Person."

Saving clause.

"Air mail."

"Person."

"Pilot "

Computation.

Contract nontrans-ferable, unless ap-proved by Postmaster General.

Route extension

Pay rate

Classification routes.
Primary, to include transcontinental and coastal.

Limitation on mile-

Existing contracts.

Processo Condition

Posting advertisements for bids.

Initial periods not to points as he may designate, and for initial periods of not exceeding exceed one year.

Conditions of awards. one year, to the lowest responsible bidders tendering sufficient guaranty for faithful performance in accordance with the terms of the Provisos.
Right of low bidder advertisement at fixed rates per airplane-mile: Provided, That where to appeal if refused the Postmaster General holds that a low bidder is not responsible or contract. qualified under this Act, such bidder shall have the right to appeal to the Comptroller General who shall speedily determine the issue, and his decision shall be final: Provided further, That the base rate of pay which may be bid and accepted in awarding such contracts shall in no case exceed 331/3 cents per airplane-mile for transporting a mail load not exceeding three hundred pounds. Payment for transportation shall be at the base rate fixed in the contract for the first three hundred pounds of mail or fraction thereof plus one tenth of such base rate for each additional one hundred pounds of mail or fraction thereof, computed at the end of each calendar month on the basis of the average mail load carried per mile over the route during such month, except that in no case shall payment exceed 40 cents per airplane-mile.

(b) No contract or interest therein shall be sold, assigned, or transferred by the person to whom such contract is awarded, to any other person without the approval of the Postmaster General; and upon any such transfer without such approval, the original contract. as well as such transfer, shall at the option of the Postmaster General become null and void.

(c) If, in the opinion of the Postmaster General, the public interest requires it, he may grant an extension of any route, for a distance not in excess of one hundred miles, and only one such extension shall be granted to any one person, and the rate of pay for such extension shall not be in excess of the contract rate on that route.

(d) The Postmaster General may designate certain routes as primary and secondary routes and shall include at least four transcontinental routes and the eastern and western coastal routes among primary routes. The character of the designation of such routes shall be published in the advertisements for bids, which bids may be asked for in whole or in part of such routes.

Bids may be referred to Interstate Commerce Commission if appear to the Postmaster General to be excessive, he shall either appear to the Postmaster Commerce Commission in the commerc reject them or submit the same to the Interstate Commerce Commission for its direction in the premises before awarding the contract.

(f) The Postmaster General shall not award contracts for air-mail routes or extend such routes in excess of an aggregate of twenty-nine thousand miles, and shall not establish schedules for air-mail transportation on such routes and extensions in excess of an annual aggregate of forty million airplane-miles.

(g) Authority is hereby conferred upon the Postmaster General to provide and pay for the carriage of mail by air in conformity with the terms of any contract let by him prior to the passage of this Act, or which may be let pursuant to a call for competitive bids therefor Extension author- issued prior to the passage of this Act, and to extend any such contract for an additional period or periods not exceeding nine months in the aggregate at a rate of compensation not exceeding that established by this Act nor that provided for in the original contract: Provided, That no such contract may be so extended unless the contractor shall agree in writing to comply with all the provisions of this Act during the extended period of the contract.

SEC. 4. The Postmaster General shall cause advertisements of airmail routes to be conspicuously posted at each such post office that is a terminus of the route named in such advertisement, for at least twenty days, and a notice thereof shall be published at least once a Publica newspape week for two consecutive weeks in some daily newspaper of general circulation published in the cities that are the termini for the route

before the time of the opening of bids.

SEC. 5. After the bids are opened, the Postmaster General may Successful bidder grant to a successful bidder a period of not more than thirty days to qualify. from the date of award of the contract to take the steps necessary to qualify for mail services under the terms of this Act: Provided, That, at the time of the award, the successful bidder executes an adequate bond with sufficient surety guaranteeing and assuring that, within such period, said bidder will fully qualify under the Act faithfully to execute and to carry out the terms of the contract: Provided further, That, if there is a failure so to qualify, the amount designated in the bond will be forfeited and paid to the United States of America.

SEC. 6. (a) The Interstate Commerce Commission is hereby Fixing rate empowered and directed, after notice and hearing, to fix and deter-Commission. mine by order, as soon as practicable and from time to time, the fair and reasonable rates of compensation for the transportation of air mail by airplane and the service connected therewith over each airmail route, but not in excess of the rates provided for in this Act, prescribing the method or methods by weight or space, or both, or otherwise, for ascertaining such rates of compensation, and to publish the same, which shall continue in force until changed by the said Commission after due notice and hearing.

(b) The Interstate Commerce Commission is hereby directed, at Periodic review of least once in every calendar year from the date of letting of any contract, to review the rates of compensation being paid to the holder of such contract, in order to be assured that no unreasonable profit is resulting or accruing therefrom. In determining what may constitute an unreasonable profit, the said Commission shall take into consideration all forms of gross income derived from the operation

of airplanes over the route affected.

(c) Any contract which may hereafter be let or extended pursuant Indefinite extensions to the provisions of this Act, and which has been satisfactorily per-torily performed. from the contractor during its initial or extended period, shall thereafter be continued in effect for an indefinite period, subject to any reduction in the rate of payment therefor, and such additional conditions and terms, as the said Commission may prescribe, which shall be consistent with the requirements of this Act; but any contract so continued in effect may be terminated by the said Commission upon sixty days' notice, upon such hearing and notice thereof to interested parties as the Commission may determine to be reasonable; and may also be terminated by the contractor at its option upon sixty days' notice. On the termination of any air-mail contract, in accordance with any of the provisions of this Act, the Postmaster General may let a new contract for air-mail service over the route affected, as authorized in this Act.

ute affected, as authorized in this Act.
(d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1916 (39 Stat. etc., 1918) (d) All provisions of section 5 of the Act of July 28, 1918 (d) All provisions of section 5 of the Act of July 28, 1918 412; U.S.C., title 39, secs. 523 to 568, inclusive), relating to the administrative methods and procedure for the adjustment of rates for carriage of mail by railroads shall be applicable to the ascertainment of rates for the transportation of air mail by airplane under this Act so far as consistent with the provisions of this Act. For the purmission to examine records and accounts.

Authority of Commission this Section the said Commission shall also have the same ords and accounts. powers as the Postmaster General is authorized to exercise under section 10 of this Act with respect to the keeping, examination, and auditing of books, records, and accounts of air-mail contractors, and it is authorized to employ special agents or examiners to conduct

Publication in daily

Provisos, Surety bond

Forfeiture, if failing

Fixing rates by In-

Termination, upon 60

Pay readjustments,

such examination or audit, who shall have power to administer oaths, examine witnesses, and receive evidence.

Fixing fair rate of pay for air-mail transportation.

(e) In fixing and determining the fair and reasonable rates of compensation for air-mail transportation, the Commission shall give consideration to the amount of air mail so carried, the facilities supplied by the carrier, and its revenue and profits from all sources, and from a consideration of these and other material elements, shall fix and establish rates for each route which, in connection with the rates fixed by it for all other routes, shall be designed to keep the aggregate cost of the transportation of air mail on and after July 1, 1938, within the limits of the anticipated postal revenue therefrom.

Sec. 7. (a) After December 31, 1934, it shall be unlawful for any

Relation of contractor with aviation industry.

Sec. 7. (a) After December 31, 1934, it shall be unlawful for any person holding an air-mail contract to buy, acquire, hold, own, or control, directly or indirectly, any shares of stock or other interest in any other partnership, association, or corporation engaged directly or indirectly in any phase of the aviation industry, whether so engaged through air transportation of passengers, express, or mail, through the holding of an air-mail contract, or through the manufacture or sale of airplanes, airplane parts, or other materials or accessories generally used in air transportation, and regardless of whether such buying, acquisition, holding, ownership, or control is done directly, or is accomplished indirectly, through an agent, subsidiary, associate, affiliate, or by any other device whatsoever: *Provided*, That the prohibitions herein contained shall not extend to interests in landing fields, hangars, or other ground facilities necessarily incidental to the performance of the transportation service of such air-mail contractor, nor to shares of stock in corporations whose principal business is the maintenance or operation of such landing fields, hangars, or other ground facilities.

Provise. Interests in ground facilities not included.

(b) After December 31, 1934, it shall be unlawful (1) for any partnership, association, or corporation, the principal business of which, in purpose or in fact, is the holding of stock in other corporations, or (2) for any partnership, association, or corporation engaged directly or indirectly in any phase of the aviation industry, as specified in subsection (a) of this section, to buy, acquire, hold, own, or control, directly or indirectly, either as specified in such subsection (a) or otherwise, any shares of stock or other interests in any other partnership, association, or corporation which holds an air-mail contract.

Interlocking directorates or intercorporate relationships.

(c) No person shall be qualified to enter upon the performance of an air-mail contract, or thereafter to hold an air-mail contract, if at or after the time specified for the commencement of mail transportation under such contract, such person is (or, if a partnership, association, or corporation, has and retains a member, officer, or director that is) a member, officer, director, or stockholder in any other partnership, association, or corporation, whose principal business, in purpose or in fact, is the holding of stock in other corporations, or which is engaged in any phase of the aviation industry, as specified in subsection (a) of this section.

Ineligibility of individual holding office, etc., in such stock or aviation corporation.

(d) No person shall be qualified to enter upon the performance of, or thereafter to hold an air-mail contract, (1) if at or after the time specified for the commencement of mail transportation under such contract, such person is (or, if a partnership, association, or corporation, has a member, officer, or director, or an employee performing general managerial duties, that is) an individual who has theretofore entered into any unlawful combination to prevent the making of any bids for carrying the mails: *Provided*, That whenever required by the Postmaster General the bidder shall submit an affidavit executed by the bidder, or by such of its officers, directors, or general mana-

If ever engaged in unlawful combination to prevent bid making.

Proviso. Sworn declaration by bidder.

gerial employees as the Postmaster General may designate, sworn to before an officer authorized and empowered to administer oaths, stating in such affidavit that the affiant has not entered nor proposed to enter into any combination to prevent the making of any bid for carrying the mails, nor made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person to bid or not to bid for any mail contract, or (2) if it Maximum pay repays any officer, director, or regular employee compensation in any form, whether as salary, bonus, commission, or otherwise, at a rate exceeding \$17,500 per year for full time.

SEC. 8. Any company alleging to hold a claim against the Govern- for ment on account of any air-mail contract that may have heretofore celed contracts been annulled, may prosecute such claim as it may have against the United States for the cancelation of such contract in the Court of Claims of the United States, provided that such suit be brought within one year from the date of the passage of this Act; and any person not ineligible under the terms of this Act who qualifies under the other requirements of this Act, shall be eligible to contract for carrying air mail, nothwithstanding the provisions of section 3950 vent bids. R.S., sec. 3950, p. 766.

Prosecution of claims

Qualifications.

of the Revised Statutes (Act of June 8, 1872).

Combinations to pre-

Sec. 9. Each person desiring to bid on an air-mail contract shall be required to furnish in its bid a list of all the stockholders holding statement, etc., to acmore than 5 per centum of its entire capital stock, and of its directors, company bid. and a statement covering the financial set-up, including a list of assets and liabilities; and in the case of a corporation, the original amount paid to such corporation for its stock, and whether paid in cash, and if not paid in cash, a statement for what such stock was issued. Such information and the financial responsibility of such bidder, as well as the bond offered, may be taken into consideration by the Postmaster General in determining the qualifications of the

Sec. 10. All persons holding air-mail contracts shall be required to account keep their books, records, and accounts under such regulations as may be promulgated by the Postmaster General, and he is hereby authorized to examine and audit the books, records, and accounts of such contractors and to require a full financial report under such

Keeping records and

Inspection

regulations as he may prescribe.

SEC. 11. Before the establishment and maintenance of an air-mail Equipment, requirements. route the Postmaster General shall notify the Secretary of Commerce, who thereupon shall certify to the Postmaster General the character of equipment to be employed and maintained on each airmail route. In making this determination the Secretary of Commerce, in his specifications furnished to the Postmaster General, shall determine only the speed, load capacity, and safety features and safety devices on airplanes to be used on the route, which said specifications shall be included in the advertisement for bids.

SEC. 12. The Secretary of Commerce is authorized and directed to Secretary of Comprescribe the maximum flying hours of pilots on air-mail lines, and ing hours of pilots, resafe operation methods on such lines and is further authorized to trement benefits, etc. safe operation methods on such lines, and is further authorized to approve agreements between air-mail operating companies and their pilots and mechanics for retirement benefits to such pilots and mechanics. The Secretary of Commerce is authorized to prescribe all necessary regulations to carry out the provisions of this section and section 11 of this Act.

SEC. 13. It shall be a condition upon the awarding or extending Compensation rates, and the holding of any air-mail contract that the rate of compensation, etc., of pilots, mechantion and the working conditions and relations for all pilots lies, etc. tion and the working conditions and relations for all pilots, mechanics, and laborers employed by the holder of such contract

Holding more than three contracts forbid-

Merger restriction

Air Mail Service to Canada

Breach of contract.

Penalty provisions. Combinations.

Punishment for

Violating any provision of Act.

Commission on aviation policy to be appointed.

Compensation.

Commission organi-

Powers conferred.

Collective bargain shall conform to decisions of the National Labor Board. This section shall not be construed as restricting the right of collective bargaining on the part of any such employees.

Federal Radio Commission to furnish proper radio frequencies in the allocation of radio frequencies in the aeronautical band to those airplanes carrying mail and/or passengers during the time the contract is in effect.

Sec. 15. After October 1, 1934, no air-mail contractor shall hold more than three contracts for carrying air mail, and in case of the contractor of any primary route, no contract for any other primary route shall be awarded to or extended for such contractor. be unlawful for air-mail contractors, competing in parallel routes, to merge or to enter into any agreement, express or implied, which

may result in common control or ownership.

Sec. 16. The Postmaster General may provide service to Canada within one hundred and fifty miles of the international boundary line, over domestic routes which are now or may hereafter be estabman, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic Air Mail Service: Provided, That this section shall not be construed as repealing the authority given by the Act of Moundary CLSC., Supp. VII, p. 1929 (U.S.C., Supp. VII 4:41-20) lished and may authorize the carrying of either foreign or domestic

Sec. 17. The Postmaster General may cause any contract to be canceled for willful disregard of or willful failure by the contractor to comply with the terms of its contract or the provisions of law herein contained and for any conspiracy or acts designed to defraud the United States with respect to such contracts. This provision is cumulative to other remedies now provided by law.

Sec. 18. Whoever shall enter into any combination, understanding, agreement, or arrangement to prevent the making of any bid for any contract under this Act, to induce any other person not to bid for any such contract, or to deprive the United States Government in any way of the benefit of full and free competition in the awarding of any such contract, shall, upon conviction thereof be fined not more than \$10,000 or imprisoned for not more than five years, or both.

Sec. 19. If any person shall willfully or knowingly violate any provision of this Act his contract, if one shall have been awarded to him, shall be forfeited, and such person shall upon conviction be punished by a fine of not more than \$10,000 or be imprisoned for not more than five years.

Sec. 20. The President is hereby authorized to appoint a Commission composed of five members to be appointed by him, not more than three members to be appointed from any one political party, Report to Congress. for the purpose of making an immediate study and survey, and to report to Congress not later than February 1, 1935, its recommendations of a broad policy covering all phases of aviation and the relation of the United States thereto. Members appointed who are not already in the service of the United States shall receive compensation of not exceeding the rate of compensation of a Senator or Representative in Congress.

SEC. 21. Such Commission shall organize by electing one of its members as chairman, and it shall appoint a secretary whose salary shall not exceed the rate of \$5,000 per annum. Said Commission shall have the power to pay actual expenses of members of the Commission in the performance of their duties, to employ counsel, experts, and clerks, to subpena witnesses, to require the production by witnesses of papers and documents pertaining to such matters as

are within the jurisdiction of the Commission, to administer oaths, and to take testimony, and for such purpose there is hereby authorized to be appropriated the sum of \$75,000.

Approved, June 12, 1934.

[CHAPTER 467.]

AN ACT

June 12, 1934. [S. 2041.] [Public, No. 309]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 37 of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, further amended by inserting after the words cops; citizenship. Vol. 39, p. 189; Vol. "United States", in the seventh sentence of said section, the words 41, p. 776. Ante, p. 154.

Approved, June 12, 1934.

[CHAPTER 468.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Chesapeake Bay between Baltimore and Kent Counties, Maryland.

June 12, 1934. [S. 3211.] [Public, No. 310.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Chesapeake Bay, between Baltimore and Kent Counties, Mary-ties, Md. land, authorized to be built by the Chesapeake Bay Bridge Company by section 11 of the Act of Congress approved March 4, 1933, are hereby extended one and three years, respectively, from the date of approval hereof.

Vol. 47, p. 1560.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 12, 1934.

[CHAPTER 469.]

AN ACT

Granting the consent of Congress to the Tensas Basin Levee Board of the State of Louisiana to construct, maintain, and operate a free highway bridge across Bayou Bartholomew at or near its mouth in Morehouse Parish, Louisiana June 12, 1934, [S. 3640.] [Public, No. 311.]

Be it enacted by the Senate and House of Representatives of the of Congress is hereby granted to the Tensas Basin Levee Board of bridge, in Morehouse the State of Louisiana to construct, maintain, and operate a free highway bridge and approach. the State of Louisiana to construct, maintain, and operate a free highway bridge and approaches thereto across Bayou Bartholomew, at a point suitable to the interests of navigation, at or near its mouth in Morehouse Parish, Louisiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.
Sec. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Construction. Vol. 34, p. 84.

Amendment.

Approved, June 12, 1934.

[CHAPTER 470.]

AN ACT

June 12, 1934 [H.R. 5312.] [Public, No. 312.]

To provide for the conveyance of the abandoned lighthouse reservation and wildings, including detached tower, situate within the city limits of Erie, Pennsylvania, to the city for public-park purposes.

Erie, Pa.
Conveyance of old lighthouse reservation to city for public park.

Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to transfer and convey to the city of Erie, Pennsylvania, all that certain piece and parcel of land belonging to the United States of America situate in the city of Erie, in the county of Erie and State of Pennsylvania, known as the old lighthouse property and being the lands and premises described in a certain deed made by Myron Sanford and Susan M. Sanford, his wife, dated November 22, 1884, recorded in recorder's office for Erie County, Pennsylvania, in deed book numbered 80, page 606, bounded and described as follows: Beginning fifty-eight perches down Lake Erie from the corner post of John Kelso's survey, thence south twenty-seven degrees east, twenty perches to a post; thence north sixty-three degrees east, sixteen perches to a post; thence north twenty-seven degrees west, twenty perches to a post on the bank of the lake; and thence up the lake to the place of beginning, containing two acres of land being the same piece of land conveyed to the United States for lighthouse purposes by John Kelso on April 1, 1812, purchased at public auction from the United States by said Myron Sanford March 1, 1881, and conveyed to said Myron Sanford by Charles J. Folger, Secretary of the Treasury, by deed dated May 8, 1883, which deed is recorded in the registry of deeds of Erie County, Pennsylvania, in deed book numbered 76, page 525; the same to be held and made available permanently by said city for public-park purposes: *Provided*, That should the city of Erie fail to keep and hold the described parcel of land and buildings for public-park purposes or devote same to any use inconsistent with said purpose, then title to said land shall revert to and be reinvested in the United States.

Proviso Reversion for non-

Approved, June 12, 1934.

[CHAPTER 471.]

AN ACT

June 12, 1934 [H.R. 7082.] [Public, No. 313.] Validating certain conveyances heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, involving certain portions of right-of-way, in and in the vicinity of the city of Lodi, and near the station of Acampo, and in the city of Tracy, all in the county of San Joaquin, State of California, and in or in the vicinity of Galt, and Polk, in the county of Sacramento, State of California, acquired by Central Pacific Railway Company under the Act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the Act of Congress approved July 2, 1864 (13 Stat. L. 356)

way Company.
Conveyances of land
on right-of-way, made
by, legalized.

Location.

Be it enacted by the Senate and House of Representatives of the Control Pacific Rail- United States of America in Congress assembled, That the conveyances hereinafter particularly described and heretofore executed by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, involving certain lands or interests therein, in and in the vicinity of the city of Lodi, and near the station of Acampo, and in the city of Tracy, all in the county of San Joaquin, State of California, and in or in the vicinity of Galt, and Polk, in the county of Sacramento, State of California, and forming a part of the right-of-way of said Central Pacific Railway Company, granted by the Government of the United States of No. 12, p. 489; Vol. America by an Act of Congress approved July 1, 1862, entitled "An Act to aid in the construction of a railroad and telegraph line from

the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat.L. 489), and by said Act as amended by Act of Congress approved July 2, 1864, entitled "An Act to amend an Act entitled 'An Act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes', approved July 1, 1862" (13 Stat.L. 356), are hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyances by the corporations making the same under absolute fee-simple title.

The conveyances, recorded in the office of county recorder of San in Joaquin County, Joaquin County, California, in book of official records, which are Calif.

hereby legalized, validated, and confirmed, are as follows:

1. September 3, 1932; A. W. Simpson; volume 411, page 475.
2. March 20, 1931; Margaret Wallace; volume 368, page 443.
3. March 20, 1931; Louis Dreher; volume 368, page 442.

 March 20, 1931; Joseph Dietz; volume 361, page 462.
 March 20, 1931; Lydia Bachelor; volume 364, page 438.
 March 20, 1931; Stockton Box Company, a corporation; volume 360, page 485.

7. March 20, 1931; E. G. Potter, receiver of the Stewart Fruit Company, a corporation; volume 361, page 288.

- 8. March 20, 1931; Emma E. Long; volume 364, page 441.
 9. March 20, 1931; E. E. Tremain and Susan C. Tremain; volume 367, page 223.
- 10. March 20, 1931; Ferdinand Hain; volume 361, page 465. 11. March 20, 1931; Mary E. Bandeen; volume 360, page 487.
 12. March 20, 1931; Sarah E. Sherman; volume 369, page 141.
 13. March 20, 1931; E. C. Cary; volume 364, page 442.
 14. March 20, 1931; Eldridge W. Rathbun and Ellen A. Rathbun,

his wife; volume 361, page 463.

15. March 20, 1931; Ewald Spiekerman; volume 368, page 440.

16. April 24, 1931; The Pioneer Fruit Company, a corporation;

volume 373, page 112.

17. July 22, 1929; Tracy Waldron Fruit Company, a California corporation; volume 296, page 35.

18. November 14, 1929; Central California Traction Company, a

corporation; volume 351, page 79.
19. January 7, 1930; The Fabian-Grunauer Company; volume 1, page 86.

20. January 7, 1930; A. J. Russell; volume 314, page 138. 21. June 14, 1929; American Fruit Growers Incorporated of

California, a corporation; volume 289, page 250.

The conveyances, recorded in the office of the county recorder of in Sacramento County, Sacramento County, California, which are hereby legalized, validated, and confirmed, are as follows:

1. January 19, 1932; Central California Traction Company, a

corporation; volume 385, page 134.

2. May 5, 1931; Geo. F. McNoble; volume 348, page 449.

3. July 16, 1930; J. C. Wiscarver; volume 314, page 126.

Provided, That such legalization, validation, and confirmation width of right-of-way to a width less to be maintained. than fifty feet on either side of the center of the main track or tracks of said Central Pacific Railway Company as now established and maintained: And provided further, That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse pos-

Rights of adverse claimants.

Minerals reserved.

session, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Company and its lessee, Southern Pacific Company: And provided further, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

Approved, June 12, 1934.

[CHAPTER 472.]

AN ACT

June 12, 1934 [H.R. 7098.] [Public, No. 314.] Validating certain conveyances heretofore made by Central Pacific Railway Company, a corporation, and its lessee, Southern Pacific Company, a corporation, involving certain portions of right-of-way, in and in the vicinity of the town of Gridley, all in the county of Butte, State of California, acquired by Central Pacific Railway Company under the Act of Congress approved July 25, 1866 (14 Stat. L. 239).

Be it enacted by the Senate and House of Representatives of the Central Pacific Rail- United States of America in Congress assembled, That the conveyway Company.
Conveyances from, in ances hereinafter particularly described and heretofore executed by Butte County, Calif., Central Pacific Railway Company, a corporation, and its lessee, legalized. Southern Pacific Company, a corporation, involving certain lands or interests therein, in and in the vicinity of the town of Gridley, all in the county of Butte, State of California, and forming a part of the right-of-way of said Central Pacific Railway Company, granted by the Government of the United States of America by an Act of Congress approved July 25, 1866, entitled "An Act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad in California, to Portland in Oregon" (14 Stat. L. 239), are hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyances by the corporations making the same under absolute fee-simple title.

Vol. 14, p. 239.

List of conveyances.

The conveyances, recorded in the office of the county recorder of Butte County, California, in book of official records, which are hereby legalized, validated, and confirmed, are as follows:

1. June 10, 1931; T. B. Channon and T. J. Long; volume 78, page

325.

2. June 10, 1931; Ida McCurry, Harry W. McCurry, and Louise A. McCurry; volume 78, page 71.
3. June 10, 1931; Richard C. Sligar and Amy M. Bilhartz; volume

74, page 474.

4. June 10, 1931; Colusa Development Company; volume 81, page 306. Provided, That such legalization, validation, and confirmation shall

way.

Provises. Provided, That such legalization, the wind a width less than width of right of not in any instance diminish said right-of-way to a width less than sixty feet on either side of the center of the main track or tracks of said Central Pacific Railway Company as now established and maintained: And provided further, That nothing herein contained is

Adverse possession, unconfirmed by rail-way company not legalized hereby.

intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Company and its lessee, Southern Pacific Company: And provided further, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

Mineral deposits re-

Approved, June 12, 1934.

[CHAPTER 473.]

AN ACT

To provide for the final construction, on behalf of the United States, of postal treaties or conventions to which the United States is a party.

June 12, 1934 [H.R. 7317.] [Public, No. 315,]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 398 with foreign countries, of the Revised Statutes (U.S.C., title 5, sec. 372), is hereby amended U.S.C., p. 49.

to read as follows:

"For the purpose of making better postal arrangements with master General.

"Postforeign countries, or to counteract their adverse measures affecting our postal intercourse with them, the Postmaster General, by and with the advice and consent of the President, may negotiate and conclude postal treaties or conventions, and may reduce or increase the rates of postage or other charges on mail matter conveyed between the United States and foreign countries: Provided, That the decisions of the Postmaster General construing or interpreting when approved by the provisions of any treaty or convention which has been or may be negotiated and concluded shall, if approved by the Postmaster Brownian Provision. final and conclusive upon all officers of the United States."

Approved, June 12, 1934.

[CHAPTER 474.]

AN ACT

To amend the Tariff Act of 1930.

June 12, 1934. [H.R. 8687.] [Public, No. 316.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Tariff Act of 1930, and the states of America in Congress assembled, That the Tariff Act of 1930, will be sent of title III the following: Vol. 46, p. 708 of 1930 is amended by adding at the end of title III the following:

"PART III-PROMOTION OF FOREIGN TRADE

Promotion of foreign trade.

"Sec. 350. (a) For the purpose of expanding foreign markets for Powers conferred on the products of the United States (as a means of assisting in the ing foreign markets for products of the United States (as a means of assisting in the ing foreign markets for products.) present emergency in restoring the American standard of living. in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining.

and commerce) by regulating the admission of foreign goods into sion of foreign goods. the United States in accordance with the characteristics and needs of various branches of American production so that foreign markets will be made available to those branches of American production which require and are capable of developing such outlets by affording corresponding market opportunities for foreign products in the United States, the President, whenever he finds as a fact that any duties are found to be existing duties or other import restrictions of the United States or unduly burdening any foreign country are unduly burdening and restricting the foreign trade of the United States and that the purpose above declared will be promoted by the means hereinafter specified, is authorized from

time to time-"(1) To enter into foreign trade agreements with foreign govern- May enter into foreign trade agreements. ments or instrumentalities thereof; and

import restrictions, or such additional import restrictions, or such duties, for limited continuance, and for such minimum periods, of existing customs or excise treatment of any article covered by foreign treatment. as are required or appropriate to carry out any foreign trade agreement that the President has entered into hereunder. No proclamation shall be made increasing or decreasing by more than 50 per

Limitations.

Application of proclamation.

Proviso.
Suspension of application.

Termination.

Treaty of commercial reciprocity with Cuba. Vol. 33, p. 2136. Application of.

Proviso. Rate limitation.

"Duties and other import restrictions defined.

Countervailing duties. Vol. 46, p. 625.

cluded

wheat. Vol. 46, p. 691.

Payment of duty upon withdrawal from bonded warehouse

Term of agreement.

Duration of President's authority.

Indebtedness of for-eign countries to United States.

centum any existing rate of duty or transferring any article between the dutiable and free lists. The proclaimed duties and other import restrictions shall apply to articles the growth, produce, or manufacture of all foreign countries, whether imported directly, or indirectly: Provided, That the President may suspend the application to articles the growth, produce, or manufacture of any country because of its discriminatory treatment of American commerce or because of other acts or policies which in his opinion tend to defeat the purposes set forth in this section; and the proclaimed duties and other import restrictions shall be in effect from and after such time as is specified in the proclamation. The President may at any time

terminate any such proclamation in whole or in part.

"(b) Nothing in this section shall be construed to prevent the application, with respect to rates of duty established under this section pursuant to agreements with countries other than Cuba, of the provisions of the treaty of commercial reciprocity concluded between the United States and the Republic of Cuba on December 11, 1902, or to preclude giving effect to an exclusive agreement with Cuba concluded under this section, modifying the existing preferential customs treatment of any article the growth, produce, or manufacture of Cuba: *Provided*, That the duties payable on such an article shall in no case be increased or decreased by more than 50

per centum of the duties now payable thereon.

"(c) As used in this section, the term 'duties and other import restrictions' includes (1) rate and form of import duties and classification of articles, and (2) limitations, prohibitions, charges, and exactions other than duties, imposed on importation or imposed for

the regulation of imports.'

Countervailing Sec. 2. (a) Subparagraph (d) of paragraph 369, the last sen-vol. 46, p. 625. tence of paragraph 1402, and the provisos to paragraphs 371, 401, Equalization of costs 1650, 1687, and 1803 (1) of the Tariff Act of 1930 are repealed. The of production. Occurs 1650, 1687, and 1803 (1) of the Tariff Act of 1930 are repealed. The Vol. 46, pp. 701, 735. provisions of sections 336 and 516(b) of the Tariff Act of 1930 trade agreement conshall not apply to any article with respect to the importation of which into the United States a foreign trade agreement has been concluded pursuant to this Act, or to any provision of any such Flour from imported agreement. The third paragraph of section 311 of the Tariff Act of 1930 shall apply to any agreement concluded pursuant to this Act to the extent only that such agreement assures to the United States a rate of duty on wheat flour produced in the United States which is preferential in respect to the lowest rate of duty imposed by the country with which such agreement has been concluded on like flour produced in any other country; and upon the withdrawal of wheat flour from bonded manufacturing warehouses for exportation to the country with which such agreement has been concluded, there shall be levied, collected, and paid on the imported wheat used, a duty equal to the amount of such assured preference.

(b) Every foreign trade agreement concluded pursuant to this Act shall be subject to termination, upon due notice to the foreign government concerned, at the end of not more than three years from the date on which the agreement comes into force, and, if not then terminated, shall be subject to termination thereafter upon not more

than six months' notice.

(c) The authority of the President to enter into foreign trade agreements under section 1 of this Act shall terminate on the expiration of three years from the date of the enactment of this Act.

Sec. 3. Nothing in this Act shall be construed to give any authority to cancel or reduce, in any manner, any of the indebtedness of any foreign country to the United States.

Sec. 4. Before any foreign trade agreement is concluded with any Notice of intention to negotiate agreement. foreign government or instrumentality thereof under the provisions of this Act, reasonable public notice of the intention to negotiate an agreement with such government or instrumentality shall be given in order that any interested person may have an opportunity to present his views to the President, or to such agency as the President may designate, under such rules and regulations as the President may prescribe; and before concluding such agreement the President shall seek information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce and from such other sources as he may deem appropriate.

Approved, June 12, 1934, 9.15 p.m.

[CHAPTER 475.]

AN ACT

Granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Grand Calumet River near Clark Street, in Gary, Indiana.

June 12, 1934. [H.R. 9064.] [Public, No. 317.]

Construction. Vol. 34, p. 84.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent River. of Congress is hereby granted to the State of Indiana to construct, Indiana may bridge, of Congress is hereby granted to the State of Indiana to construct, maintain, and operate a free highway bridge and approaches thereto at Gary. across the Grand Calumet River, at a point suitable to the interests of navigation, at or near a point east of Clark Street, Gary, Indiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

[CHAPTER 476.]

Approved June 12, 1934.

AN ACT

Granting the consent of Congress to the State of Alabama, its agent or agencies, and to Colbert County and to Lauderdale County in the State of Alabama, and to the city of Sheffield, Colbert County, Alabama, and to the city of Florence, Lauderdale County, Alabama, or to any two of them, or to either of them, to construct, maintain, and operate a bridge, and approaches thereto, across the Tennessee River at a point between the city of Sheffield, Alabama, and the city of Florence, Alabama, suitable to the interests of navigation.

June 12, 1934. [H.R. 9141.] [Public, No. 318.]

Be it enacted by the Senate and House of Representatives of the of Congress is hereby granted to the State of Alabama, its agent or agencies, and to Colbert County and to Lauderdale County in the field and Florence.

Tennessee River.
Alabama, etc., may bridge, between Sheffield Colbert County in the field and Florence. State of Alabama, and to the city of Sheffield, Colbert County, Alabama, and to the city of Florence, Lauderdale County, Alabama, or to any two of them, or to either of them, to construct, maintain, and operate a bridge, and approaches thereto across the Tennessee River, at a point suitable to the interests of navigation, between the city of Florence, Alabama, and the city of Sheffield, Alabama, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Construction. Vol. 34, p. 84.

Approved, June 12, 1934.

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[CHAPTER 477.]

AN ACT

June 12, 1934. [H.R. 9313.] [Public, No. 319.]

To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia.

Savannah River.
Time extended for bridging, at Burtons
Ferry, Ga.

De w enactea by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved Mark Of 1999 Be it enacted by the Senate and House of Representatives of the Ferry, Ga. ized by Act of Congress approved May 26, 1928, heretofore revived and reenacted by the Act of Congress approved April 22, 1932, and extended by an Act of Congress approved May 27, 1933, to be built by the South Carolina and Georgia State Highway Departments across the Savannah River at or near Burtons Ferry, near Sylvania, Georgia, are hereby further extended one and three years, respectively, from the date of approval hereof.

Amendment.

expressly reserved. Approved, June 12, 1934.

[CHAPTER 478.]

AN ACT

SEC. 2. The right to alter, amend, or repeal this Act is hereby

June 12, 1934 [H.R. 9320.] [Public, No. 320]

To further extend the times for commencement and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota.

Missouri River, at or near Garrison, North Dakota, authorized to Vol. 47, pp. 43, 804.

Be it enacted by the Senate and House of Representatives of the Missouri River.
Time extended for United States of America in Congress assembled, That the times for bridging, at Garrison, commencing and completing the construction of a bridge across the N.Dak.

be built by the State of North Dakota, by the Acts of Congress approved February 10, 1932, and February 14, 1933, are hereby further extended one and three years, respectively, from February

14, 1934. SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 12, 1934.

[CHAPTER 479.]

AN ACT

June 12, 1934. [H.R. 9434.] [Public, No. 321.]

Amendment.

Granting the consent of Congress for the construction of a dike or dam across the head of Camas Slough (Washougal Slough) to Lady Island on the Columbia River in the State of Washington.

Be it enacted by the Senate and House of Representatives of the

Pederal interests.

Use for power, etc., forbidden.

Commencement and completion.

Columbia River. United States of America in Congress assembled, That the consent Wash.
Crown Williamette of Congress is hereby granted to the Crown Williamette Paper Paper Company may construct dike across Washougal Slough.
Provises.
Approval of plans.
Approval of plans.

That the moute of the Strates of Representatives of the Strates of Repres That the work of constructing this dike or dam shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers and the Secretary of War: Provided further,
That in approving the plans for said dike or dam such conditions
and stipulations may be imposed as the Chief of Engineers and
the Secretary of War may deem necessary to protect the present
and future interests of the United States: And provided further, That this Act shall not be construed to authorize the use of such dike or dam to develop water power or generate hydroelectric energy. SEC. 2. The authority granted by this Act shall cease and be null

and void unless the actual construction of said dike or dam hereby

authorized is commenced within one year and completed within three years from the date of approval of this Act.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 12, 1934.

[CHAPTER 480.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska.

June 12, 1934. [H.R. 9567.] [Public, No. 322]

commencing and completing the construction of a bridge authorized by Act of Congress approved February 26, 1929, heretofore extended by Acts of Congress approved June 10, 1930, and March 4, 1933, to be built by the Brownville Bridge Company, across the Missouri River, at or near Brownville, Nebraska, are hereby further extended one and three years, respectively, from March 4, 1934.

Sec. 2. The right to alter, amend, or repeal this Act in here Be it enacted by the Senate and House of Representatives of the

expressly reserved.

Approved, June 12, 1934.

[CHAPTER 481.]

AN ACT

Authorizing the city of Sault Sainte Marie, Michigan, its successors and assigns, to construct, maintain, and operate a bridge across the Saint Marys River at or near Sault Sainte Marie, Michigan.

June 12, 1934. [H.R. 9585.] Public, No. 323.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to Saint Marys River. Sault Sainte Marie, facilitate international commerce, improve the postal service, and Mich., may bridge. provide for military and other purposes, the city of Sault Sainte Marie, Michigan, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Saint Marys River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near the city of Sault Sainte Marie, Michigan, and the city of Sault Sainte Marie, Canada, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act, and subject to the approval of the proper authorities in the Approval by Canada

Dominion of Canada.

Sec. 2. There is hereby conferred upon the city of Sault Sainte proaches, etc.

Marie, Michigan, its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Michigan needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Michigan, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The said city of Sault Sainte Marie, Michigan, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of the State of

Construction. Vol. 34, p. 84.

Toll rates.

SESS. II. CHS. 481-483. 73d CONGRESS. JUNE 12, 13, 1934.

Michigan applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the

authority contained in the Act of March 23, 1906.

Right to sell, etc., conferred.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the city of Sault Sainte Marie, Michigan, its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Amendment.

Sec. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 12, 1934.

[CHAPTER 482.]

AN ACT

June 13, 1934, [S. 3041.] [Public, No. 324.]

To effectuate the purpose of certain statutes concerning rates of pay for labor, by making it unlawful to prevent anyone from receiving the compensation contracted for thereunder, and for other purposes.

etc.
Preventing anyone from receiving rates of pay, as contracted, unlawful.

Punishment for.

Regulations for enforcement.

Weekly swo statement required. sworn

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever shall induce any person employed in the construction, prosecution, or completion of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, or in the repair thereof to give up any part of the compressition to which he is entitled under his contract of employed. compensation to which he is entitled under his contract of employment, by force, intimidation, threat of procuring dismissal from such employment, or by any other manner whatsoever, shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

Sec. 2. To aid in the enforcement of the above section, the Secre-

tary of the Treasury and the Secretary of the Interior jointly shall make reasonable regulations for contractors or subcontractors on any such building or work, including a provision that each contractor and subcontractor shall furnish weekly a sworn affidavit with respect to the wages paid each employee during the preceding week.

Approved, June 13, 1934.

[CHAPTER 483.]

AN ACT

June 13, 1934. [S. 3237.] [Public, No. 325.]

To repeal certain provisions of the Act of March 4, 1933, and to reenact sections 4 and 5 of the Act of March 2, 1929.

Provisions reenacted. Vol. 45, p. 1542; U.S.C., Supp. VII, p. 3.

Authority of Joint Committee on Print-ing in printing and dis-tributing bills and reso-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That such proviprovisions repealed. Sions in section 1 of the March 4, 1933 (47 Stat. 1603), as U.S.C., Supp. VII, p. 3. purport to amend "sections 4 and 5 of the joint resolution approved to the section of the policy of the section of the section of the policy of the section of the March 2, 1929 (U.S.C., Supp. VI, title 1, sections 54 (a) and (b))",

are hereby repealed. SEC. 2. Sections 4 and 5 of such joint resolution of March 2, 1929 (U.S.C., Supp. VI, title 1, secs. 54 (a) and 54 (b)), shall hereafter

be in full force and effect as originally enacted. SEC. 3. That, subject to the provisions of the second section, the Joint Committee on Printing is hereby empowered to authorize the printing of any bill or resolution, with index and ancillaries, in such style and form as the Joint Committee on Printing shall deem to be most suitable in the interest of economy and efficiency, and to so continue until final enactment thereof in both Houses of Congress; and such committee may also curtail the number of copies of such bills or resolutions, including the slip form of such public Act or public

Approved, June 13, 1934.

[CHAPTER 484.]

AN ACT

Authorizing the Oregon-Washington Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oregon.

June 13, 1934. [S. 3502.] [Public, No. 326.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and pro-Bridge. Board of vide for military and other purposes, Guy Boyington, judge of the at Astoria, Oregon. J. C. Ten Brook, mayor of the city of Astoria, Oregon, and his successors in office, and L. D. Williams, chairman of the Board of County Commissionare of Papific County Weshington, and his successors. County Commissioners of Pacific County, Washington, and his successors in office, all as trustees, are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Columbia River, at a point suitable to the interests of navigation, at Astoria, Clatsop County, Oregon, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act; and tations said trustees shall own and hold said bridge in trust for Clatsop County, Oregon, Pacific County, Washington, and the city of Astoria, Oregon; said trustees being known as and functioning as the Oregon-Washington Bridge Board of Trustees, and serving without compensation. Said board of trustees is hereby granted the right to assign, transfer, and mortgage all the rights, powers, Rights of trustees to and privileges conferred by this Act.

SEC. 2. There is hereby conferred upon said board of trustees all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of prop-

erty for public purposes in such State.

Sec. 3. The said board of trustees is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary cf War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of Rates to be applied such bridge the same shall be so adjusted as to provide a fund sufficient, sinking fund, etc. cient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty-five years from the completion thereof. After a sinking fund sufficient for such amortization

Construction. Vol. 34, p. 84.

Conditions and limi-

Acquisition of approaches, etc.

Toll rates.

Vol. 34, p. 85.

Maintenance as free bridge after amortizing

Record of expendi-tures and receipts.

shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby

Amendment.

expressly reserved.

Approved, June 13, 1934.

[CHAPTER 485.]

AN ACT

June 13, 1934. [S. 3615.] [Public, No. 327]

Authorizing the county of Wahkiakum, a legal political subdivision of the State of Washington, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River between Puget Island and the mainland, Cathlamet, State of Washington.

Columbia River. Wahkiakum County, Wash., may bridge, between Puget Sound and Cathlamet.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Wahkiakum, a legal political subdivision of the State of Washington, its successors and assigns, to construct, maintain, and operate a free highway bridge and approaches thereto across the Columbia River between Puget Island and the mainland, Cathlamet, State of Washington, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in said Act.
Sec. 2. The right to alter, amend, or repeal this Act is hereby

Construction. Vol. 34, p. 84.

Amendment.

expressly reserved.

Approved, June 13, 1934.

[CHAPTER 486.]

AN ACT

June 13, 1934. [H.R. 3353.] [Public, No. 328.]

To provide a preliminary examination of Stillaguamish River and its tributaries in the State of Washington, with a view to the control of its floods.

flood control.

Vol. 39, p. 950. U.S.C., p. 1089.

Stillaguamish River. United States of America in Congress assembled, That the Secretary Preliminary examination of, with view of War be, and he is hereby, authorized and directly in the secretary authorized and directly in the secretary nation of war be, and he is hereby. preliminary examination to be made of the Stillaguamish River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Approved, June 13, 1934.

[CHAPTER 487.]

AN ACT

To provide a preliminary examination of Snohomish River and its tributaries in the State of Washington, with a view to the control of its floods.

June 13, 1934 [H.R. 3354.] [Public, No. 329.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Snohomish River and its tributaries in the State of Washington, with a view to control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Snohomish River. Preliminary exami-nation of, with view of flood control.

Vol. 39, p. 950. U S.C., p. 1089.

Approved, June 13, 1934.

[CHAPTER 488.]

AN ACT

To provide a preliminary examination of the Nooksack River and its tributaries in the State of Washington, with a view to the control of its floods.

June 13, 1934 [H.R. 3362.] [Public, No. 330.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause nation of, with view of a preliminary examination to be made of the Neolegack River and its flood control a preliminary examination to be made of the Nooksack River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950. U.S.C., p. 1089.

Approved, June 13, 1934.

[CHAPTER 489.]

AN ACT

To provide a preliminary examination of Skagit River and its tributaries in the State of Washington, with a view to the control of its flood waters.

June 13, 1934. [H.R. 3363.] [Public, No. 331.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause nation of, with view to a preliminary examination to be made of the Skagit River and its flood control. a preliminary examination to be made of the Skagit River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore and hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Vol. 39, p. 950. U.S.C., p. 1089.

Approved, June 13, 1934.

[CHAPTER 490.]

AN ACT

June 13, 1934. [H.R. 7299.] [Public, No. 332.]

To authorize the Post Office Department to hold contractors responsible in damages for the loss, rifling, damage, wrong delivery, depredation upon, or other mistreatment of mail matter due to fault or negligence of the contractor or an agent or employee thereof.

Be it enacted by the Senate and House of Representatives of the Postal service. R.S., sec. 3962, p. 768. United States of America in Congress assembled, That section 3962 vol. 44, p. 499. U.S.C., Supp. vII, p. 881. Stat. 499; U.S.C., Supp. VII, title 39, sec. 443), is hereby amended to read as follows:
"The Postmaster General may make deductions from the pay of

Mail contractors. Deductions from pay for failure to perform service; may be re-mitted.

contractors for failure to perform service according to contract and impose fines upon them for other delinquencies, which deductions or fines may be changed or remitted, in his discretion. Contractors shall also be answerable in damages to the United States for the proper care and transportation of the mails, and be accountable to the United States for any loss or damage resulting to any of such mail or any part of it by reason of the failure to exercise due care on the part of any of the contractor's officers, agents, or employees Deducting damages. in the custody, handling, or transportation thereof. He may deduct the price of the trip in all cases where the trip is not performed and not exceeding three times the price if the failure be occasioned by the fault of the contractor or carrier."

Responsibility loss or damage.

Approved, June 13, 1934.

CHAPTER 491.]

AN ACT

June 13, 1934 [H.R. 8234.] [Public, No. 333.]

To provide a preliminary examination of the Paint Rock River in Jackson County, Alabama, with a view to the control of its floods.

Paint Rock River. Preliminary examination of, with view of flood control.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary authorized and directed to cause a preliminary examination to be made of the Brite B.

Vol. 39, p. 950. U.S.C., p. 1089.

preliminary examination to be made of the Paint Rock River, in Jackson County, Alabama, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Approved, June 13, 1934.

[CHAPTER 492.]

AN ACT

[Public, No. 334.]

To provide for a preliminary examination of the Connecticut River, with a view to the control of its floods and prevention of erosion of its banks in the State of Massachusetts.

Be it enacted by the Senate and House of Representatives of the Preliminary exami. United States of America in Congress assembled, That the Secretary nation of, with view of of War is authorized and directed to cause a preliminary flood control.

Vol. 39, p. 950. U.S.C., p. 1089.

tion to be made of the Connecticut River, with a view to control of its floods and prevention of erosion of its banks in the State of Massachusetts, in accordance with the provisions of section 3 of the Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917 (U.S.C., title 33, sec. 701), the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Approved, June 13, 1934.

[CHAPTER 493.]

AN ACT

To exempt from taxation certain property of The American Legion in the District of Columbia.

June 13, 1934. [H.R. 9400.] [Public, No. 335.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the property situated in square 185 in the city of Washington, District of Columbia, described as lots 32 and 33, owned, occupied, and used by The

District of Columbia. Property of The American Legion exempted from taxation. American Legion, is hereby exempt from all taxation so long as the same is so owned and occupied, and not used for commercial purposes, subject to the provisions of section 8 of the Act of March 3, Vol. 19, p. 399; Vol. 1877, as amended and supplemented (D.C. Code, title 20, sec. 712), providing for exemptions of church and school property.

Approved, June 13, 1934.

[CHAPTER 494.]

AN ACT

To provide a preliminary examination of the Cowlitz River and its tributaries in the State of Washington, with a view to the control of its floods.

June 13, 1934. [H.R. 9430.] [Public, No. 336.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Cowlitz River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Cowlitz River.
Preliminary examination of, with view to flood control.

Vol. 39, p. 950. U.S.C., p. 1089.

Approved, June 13, 1934.

[CHAPTER 495.]

AN ACT

To provide a preliminary examination of Chehalis River and its tributaries in the State of Washington, with a view to the control of its floods.

June 13, 1934. [H.R. 9431.] [Public, No. 337.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary or War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Chehalis River and its tributaries in the State of Washington, with a view to the control. its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be raid for appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

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Vol. 39, p. 950. U.S.C., p. 1089.

Approved, June 13, 1934.

73d CONGRESS. SESS. II. CHS. 496-498. JUNE 13, 1934.

[CHAPTER 496.]

AN ACT

June 13, 1934. [H.R. 9432.] [Public, No. 338.]

To provide a preliminary examination of the Lewis River and its tributaries in the State of Washington, with a view to the control of its floods.

Lewis River.
Preliminary examination of, with view to flood control.

Vol. 39, p. 950. U.S.C., p. 1089.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Lewis River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from

appropriations heretofore or hereafter made for examinations, sur-

veys, and contingencies of rivers and harbors. Approved, June 13, 1934.

[CHAPTER 497.]

AN ACT

June 13, 1934. [H.R. 9433.] [Public, No. 339]

To provide a preliminary examination of Columbia River and its tributaries in the State of Washington, with a view to the control of its flood waters.

Be it enacted by the Senate and House of Representatives of the

Vol. 39, p. 950. U.S.C., p. 1089.

Columbia River. Preliminary examination of, with view of flood control.

De w enaccea by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be understood of the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Columbia River and its tributaries in the States of Washington and Oregon, with a view to the control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore and hereafter cost thereof to be paid from appropriations heretofore and hereafter made for examinations, surveys, and contingencies of rivers and

Approved, June 13, 1934.

[CHAPTER 498.]

harbors.

AN ACT

[Public, No. 340.]

To amend the Emergency Railroad Transportation Act, 1933, approved June 16, 1933.

Ante, p. 216. Carrier's assessments under, increased.

Be it enacted by the Senate and House of Representatives of the Emergency Railroad United States of America in Congress assembled, That section 14 of title I of the Emergency Railroad Transportation Act, 1933, is amended by striking out the second sentence thereof and substituting therefor a sentence reading as follows: "It shall be the duty of each carrier, within thirty days after June 16, 1934, to pay into this fund, for the second year of the operation of this title, \$2 for every mile of road operated by it on December 31, 1933, as reported to the Commission, and it shall be the duty of the Secretary of the Treasury to collect such assessments."

Approved, June 13, 1934.

[CHAPTER 510.]

AN ACT

To authorize an appropriation for the purchase of land in Wyoming for use as rifle ranges for the Army of the United States.

June 14, 1934. [S. 2130.] [Public, No. 341.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not to Fort Francis E. Warexceed \$16,000 is hereby authorized to be appropriated, out of any Purchase of additional land for rifles money in the Treasury not otherwise appropriated, for the purchase range purposes. of one thousand six hundred acres of land adjacent to Fort Francis E. Warren in the State of Wyoming for use of the United States Army for rifle-range purposes. All purchase of land under this return of War.

Act shall be made by the Secretary of War pursuant to law governing the acquisition of land for the use of the Army of the United

Approved, June 14, 1934.

[CHAPTER 511.]

AN ACT

To facilitate purchases of forest lands under the Act approved March 1, 1911.

June 14, 1934. [S. 3521.] [Public, No. 342.]

Be it enacted by the Senate and House of Representatives of the facilitate the purchase of forest lands under the provisions of the Act approved March 1, 1911 (36 Stat. 961; U.S.C., title 16, secs. 613–5211), in States which desire that such purchases shall be made but cannot give their formal consent thereto until the next meeting of their legislative bodies, it is hereby provided that a written state.

Conservation of navigable watersheds, etc. Purchases of forest lands for, modified. Vol. 36, p. 961; Vol. 43, p. 1215.

Ante, p. 22.
U.S.C. DD 424-025 of their legislative bodies, it is hereby provided that a written statement of consent signed by the Governor of the State prior to January 1, 1935, and containing the certification that a majority of the individual members of the current State legislative body have expressed in writing to the Governor their concurrence in and approval of such statement of consent shall be regarded as fully complying with and satisfying the requirements of that part of section 7 of said Act of March 1, 1911, which provides that no deed or other instrument of conveyance shall be accepted or approved by the Secretary of Agriculture under said Act until the legislature of the State in which the land lies shall have consented to the acquisition of said land by the United States.

Consent required.

Approved, June 14, 1934.

[CHAPTER 512.]

AN ACT

To amend the Judicial Code by adding a new section to be numbered 274D.

June 14, 1934, [H.R. 4337.] [Public, No. 343.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Judicial

United States of America in Congress assembled, That the Judicial Judicial Code. Code, approved March 3, 1911, is hereby amended by adding after 38, p. 1961, section 274C thereof a new section to be numbered 274D, as follows:

U.S.C., p. 911. section 274C thereof a new section to be numbered 274D, as follows: "Sec. 274D. (1) In cases of actual controversy the courts of the Declaratory judgments. United States shall have power upon petition, declaration, complaint,

or other appropriate pleadings to declare rights and other legal relations of any interested party petitioning for such declaration, whether or not further relief is or could be prayed, and such declaration shall have the force and effect of a final judgment or decree and be reviewable as such.

¹ So in original.

956

73d CONGRESS. SESS. II. CHS. 512-514. JUNE 14, 1934.

Further relief.

Procedure.

"(2) Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application shall be by petition to a court having jurisdiction to grant the relief. If the application be deemed sufficient, the court shall, on reasonable notice, require any adverse party, whose rights have been adjudicated by the declaration, to show cause why further relief should not be granted forthwith.

Determining issues of fact.

"(3) When a declaration of right or the granting of further relief based thereon shall involve the determination of issues of fact triable by a jury, such issues may be submitted to a jury in the form of interrogatories, with proper instructions by the court, whether a general verdict be required or not."

Approved, June 14, 1934.

ICHAPTER 513.1

AN ACT

June 14, 1934 [H.R. 5175.] [Public, No. 344]

To provide a preliminary examination of the Green River, Washington, with a view to the control of its floods.

Green River.

Vol. 39, p. 950.

Be it enacted by the Senate and House of Representatives of the exemi. United States of America in Congress assembled, That the Secretary nation of, for flood con- of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Green River, Washington, with a view to control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for control of the floods of the Mississippi River, and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors. Approved, June 14, 1934.

[CHAPTER 514.]

AN ACT

June 14, 1934. [H.R. 5597.] [Public, No. 345.]

To afford permanent protection to the watershed and water supply of the city of Coquille, Coos County, Oregon.

Coquille, Oreg.
Patent to certain lands granted to, for protecting its water supply, etc.

Provisos. Mineral deposits re-

ing timber.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of affording permanent protection to the watershed and water supply of the city of Coquille, Coos County, Oregon, lot 4 and the southwest quarter northwest quarter section 3, township 28 south, range 12 west, Willamette meridian, is hereby granted to the city of Coquille, Oregon; and the Secretary of the Interior is hereby authorized and directed to issue patent to the city of Coquille for said land: Provided, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found on the land so granted and the right to prospect for, mine, and remove subject to rights of same: Provided further, That said land shall be subject to all rights of way which the Secretary of the Interior shall at any time deem necessary for the removal of timber from any of the land title to Vol. 39, p. 218; Vol. which revested in the United States under the Act of June 9, 1916, 40, p. 1179. or to which title was reconveyed to the United States under the Act Use for other pure of February 26, 1919: And provided further, That said city shall not have the right to sell or convey the land herein granted or any part thereof or to devote the same to any other purpose than as here-neversionary provi inbefore described; and if the said land shall not be used for such municipal purpose the same, or such part thereof not so used, shall Cutting and remov- revert to the United States: Provided, That there shall be reserved to the United States, its patentees or their transferees, the right to

cut and remove therefrom the merchantable timber, reserving to the city of Coquille when such sale is made under the provisions of the Act of June 9, 1916 (39 Stat. 218), a preference right to purchase

the timber at the highest price bid.

SEC. 2. The Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Regulation regulations to carry into effect the foregoing provisions of this Act.

Regulations to be

Approved, June 14, 1934.

[CHAPTER 515.]

AN ACT

To authorize the purchase by the city of McMinnville, Oregon, of certain tracts of public lands and certain tracts revested in the United States under the Act of June 9, 1916 (39 Stat. 218).

June 14, 1934. [H.R. 5823.] [Public, No. 346.]

of the Interior be, and he is hereby, authorized to issue a patent, upon payment of \$2.50 per acre, or fraction thereof, to the city of McMinn-ville, Oregon, for lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, and southeast quarter section 34, township 2 south, range 6 west; southeast quarter southeast quarter section 34, township 1 lots 2 and 3 Be it enacted by the Senate and House of Representatives of the lots 3 and 4 and southwest quarter southwest quarter section 3; northwest quarter northeast quarter section 15, township 3 south, range 6 west, east half northeast quarter section 10, and the southwest quarter northwest quarter and northwest quarter southwest quarter section 14, township 3 south, range 6 west, Willamette meridian, Yamhill County, Oregon, containing in the aggregate nine hundred and eighty-one and fifty-five one-hundredths acres, subject to all valid existing rights at the time of the filing of the application by the city of McMinnville: Provided, That there shall be reserved to the United States, its patentees, or their transferees, with respect to lots 5 and more 6, section 33, township 2 south, range 6 west, and southwest quarter timber reserved. southwest quarter section 3, township 3 south, range 6 west, the right to cut and remove therefrom the merchantable timber, which in the opinion of the Secretary of the Interior may be cut and removed without material damage to the watershed, reserving to said city of McMinnville, when such sale is made under the provisions of the Act of June 9, 1916, a preference right to purchase the timber at the highest price bid.

Proviso.
Right to cut and remerchantable

Sec. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this prescribed Act.

Regulations to be

Approved, June 14, 1934.

[CHAPTER 516.]

AN ACT

Providing for the acquisition of additional lands for the naval air station at Hampton Roads Naval Operating Base, Norfolk, Virginia.

June 14, 1934. [H.R. 6847.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized and directed to Norlolk, Va. acquire, by purchase or condemnation, additional tracts of land Acquisition of additional to and lying southeastwardly from the Hampton Roads air station at, authorized. Naval Operating Base, Norfolk, Virginia, said land being generally known as "East Camp", together with such additional land adjoining same as is necessary for the development and expansion of never lair activities at a side of the development and expansion of naval air activities at said station, and comprising approximately five hundred and forty acres and being bounded by Masons Creek

Appropriation thorized.

on the north and east, Bush Creek on the west, and the Virginian Railway on the south; and there is hereby authorized to be appropriated for the purchase of this entire tract the sum of \$400,000. Approved, June 14, 1934.

[CHAPTER 517.]

AN ACT

June 14, 1934 [H.R. 7185.] [Public, No 348]

To authorize the purchase by the city of Forest Grove, Oregon, of certain tracts of public lands and certain tracts revested in the United States under the Act of June 9, 1916 (39 Stat. 218).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to issue a patent, upon payment of \$2.50 per acre, or fraction thereof, to the city of Forest Area, purchase price, Grove, Oregon, for the northwest quarter of section 14, township 1 north, range 5 west, Washington County, Oregon, containing in the aggregate one hundred and sixty acres subject to all valid existing rights at the time of the filing of the application by the city of Forest Grove.

Regulations to be

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Approved, June 14, 1934.

[CHAPTER 518.]

AN ACT

June 14, 1934. [H.R. 7213] [Public, No. 349]

To provide hourly rates of pay for substitute laborers in the Railway Mail Service and time credits when appointed as regular laborer.

Be it enacted by the Senate and House of Representatives of the Railway Mail Service, Postal Service.

Reclassification Act amended.
Vol. 43, p. 1032.
U.S.C., p. 1272.

Ret endeded by the Sendie and House of Representatives of the America in Congress assembled, That section 7 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, is amended by inserting after the fourth paragraph of such section (43 Stat. 1053; U.S.C., title 39, sec. 607) a new paragraph to read as follows:

Substitute laborers.
Hourly rate of pay provided for.
Time credit.

"Substitute laborers in the Railway Mail Service shall be paid for services actually performed at the rate of 55 cents per hour, and when appointed to the position of regular laborer the substitute service performed shall be included in eligibility for promotion to grade 2 on the basis of three hundred and six days of eight hours constituting a year's service."

Approved, June 14, 1934.

[CHAPTER 519.]

AN ACT

June 14, 1934. [H.R. 7653.] [Public, No. 350.]

To authorize the establishment of the Ocmulgee National Monument in Bibb County, Georgia.

Be it enacted by the Senate and House of Representatives of the National monu-United States of America in Congress assembled, That when title County, Ga., set apart when lands therefor vest in United States. located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as

shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the "Ocmulgee National Monument": Provided, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private

SEC. 2. The Secretary of the Interior is hereby authorized to Acceptance of lands, accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national monument as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: Provided, That he may acquire on behalf of the United States under Provided, That he may acquire on behalf of the United States under Proviso any donated funds by purchase when purchasable at prices deemed nated funds. From donated funds. by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said

national monument as may be necessary for the completion thereof.

Sec. 3. The administration, protection, and development of the Vision of Secretary of Secretar Secretary of the Interior subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

Approved, June 14, 1934.

[CHAPTER 520.]

AN ACT

To authorize the Secretary of Agriculture to adjust claims to so-called "Olmstead lands" in the State of North Carolina.

June 14, 1934. [H.R. 8779.] [Public, No. 351.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture be, and he is hereby, authorized to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, That the Secretary of Agriculture to adjust all claims to the so-called "Olmstead lands" in the State of North Carotical Congress assembled, and the so-called "Olmstead lands" in the State of North Carotical Congress assembled, and the so-called "Olmstead lands" in the State of North Carotical Congress assembled, and the so-called "Olmstead lands" in the State of North Carotical Congress assembled, and the so-called "Olmstead lands" in the State of North Carotical Congress assembled to Be it enacted by the Senate and House of Representatives of the lina, which were placed under his administrative care by the Act of July 6, 1912 (37 Stat. 189).

Sec. 2. That for the purpose of carrying out the provisions of this

Sec. 2. That for the purpose of carrying out the provisions of this Conveyance of interest of United States Act the Secretary of Agriculture is authorized, upon a finding by to present occupants. him, and approved by the Attorney General, that by reason of longcontinued occupancy and use thereof a party is justly entitled to any of said Olmstead lands, to convey by quitclaim deed to such party
the interest of the United States therein, or to pay to such party
from any appropriation which hereafter may be made to carry out lease of claim.
Appropriation available.

Appropriation available. as the Secretary of Agriculture shall find to be just compensation for the release of the claim of such party to said lands, other claims of title to said Olmstead lands found to be superior to that of the of timber United States may be settled by the Secretary of Agriculture through allowing the removal of timber from the lands claimed in such an amount as he finds equitable and acceptable to the claimant in full satisfaction of his claim, or with the approval of the National Forest Reservation Commission the Secretary of Agriculture may make payment in satisfaction of the claim from funds appropriated for

carrying out the provisions of the said Act of March 1, 1911 (36

Payment of superior claims through removal

Approved, June 14, 1934.

Stat. 936).

[CHAPTER 521.]

AN ACT

June 14, 1934. [H.R. 8927.] [Public, No. 352.]

To define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes.

Exterior defined. Vol. 15, p. 667. Post, pp. 985, 1033. Description.

Be it enacted by the Senate and House of Representatives of the Navajo Indian Res- United States of America in Congress assembled, That the exterior ervation, Ariz.

Exterior boundaries boundaries of the Navajo Indian Reservation, in Arizona, be, and they are hereby, defined as follows: Beginning at a point common to the States of Arizona, New Mexico, Colorado, and Utah, thence west along the boundary line between the States of Arizona and Utah to a point where said boundary line intersects the Colorado River; thence down the south bank of that stream to its confluence with the Little Colorado River; thence following the north bank of the Little Colorado River to a point opposite the east boundary of the Grand Canyon National Park; thence south along said east boundary to the southeast corner of section 5, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence east to the southeast corner of section 4; thence south to the south-west corner of section 10; thence east to the southeast corner of section 10; thence south to the southwest corner of section 14; thence east to the northwest corner of the northeast quarter section 23; thence south two miles to the southeast corner of the southwest quarter section 26; thence west one half mile to the southeast corner of section 27, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence south seven miles to the southwest corner of section 35, township 29 north, range 6 east; thence east one mile; thence south one and one half miles to the southwest corner of the northwest quarter section 12, township 28 north, range 6 east; thence east through the center of section 12 to the range line between ranges 6 and 7 east; thence south along said range line five and one half miles to the southeast corner of section 1, township 27 north, range 6 east; thence west three miles to the southwest corner of section 3, township 27 north, range 6 east; thence south five miles to the southeast corner of section 33, township 27 north, range 6 east; thence east along township line between townships 26 and 27, six and one half miles, to the northeast corner of the northwest quarter section 3, township 26 north, range 7 east; thence south two miles to the southeast corner of the southwest quarter section 10, township 26 north, range 7 east; thence east four and one half miles to the southeast corner of section 8, township 26 north, range 8 east; thence north four miles to the northwest corner of section 28, township 27 north, range 8 east, Gila and Salt River base and meridian; thence east one mile to the southeast corner of section 21; thence north four miles to the northeast corner of section 4, township 27 north, range 8 east, thence east along township line between townships 27 and 28 north to its intersection with the Little Colorado River; thence up the middle of that stream to the intersection of the present west boundary of the Leupp Extension Reservation created by Executive order of November 14, 1901; thence south along the present western boundary of said extension to where it intersects the fifth standard parallel north; thence east along said standard parallel to the southwest corner of township 21 north, range 26 east, Gila and Salt River base and meridian; thence north six miles to the northwest corner of township 21 north, range 26 east; thence east twelve miles to the northeast corner of township 21 north, range 27 east; thence south two miles; thence east twelve miles; thence south four miles; thence east along the township line between townships 20 and 21 north to the boundary line between the States of New Mexico and Arizona; thence north along said boundary

Executive order.

line to the point of beginning. All vacant, unreserved, and unappropriated public lands, including all temporary withdrawals of public lands in Arizona heretofore made for Indian purposes by Executive order or otherwise within the boundaries defined by this Act, are hereby permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as may already be located thereon; however, nothing herein contained shall evation, not affected. affect the existing status of the Moqui (Hopi) Indian Reservation created by Executive order of December 16, 1882. There are hereby excluded from the reservation as above defined all lands heretofore designated by the Secretary of the Interior pursuant to section 28 of the Arizona Enabling Act of June 20, 1910 (36 Stat.L. 575), as being valuable for water-power purposes and all lands withdrawn or classified as power-site lands, saving to the Indians, nevertheless, or classified as power-site lands, saving to the indians, nevertheless, the exclusive right to occupy and use such designated and classified lands until they shall be required for power purposes or other uses under the authority of the United States: Provided, That Provise. Payment of royalties nothing in this Act contained shall be construed as authorizing the to Indians, not authorized. payment of proceeds or royalties to the Navajo Indians from water power developed within the areas added to the Navajo Reservation pursuant to section 1 of this Act; and the Federal Water Power Act of June 10, 1920 (41 Stat.L. 1063), and amendments thereto, shall operate for the benefit of the State of Arizona as if such lands were vacant, unreserved, and unappropriated public lands. All valid tected. Prior legal rights prorights and claims initiated under the public land laws prior to approval hereof involving any lands within the areas so defined, shall not be affected by this Act.

SEC. 2. The Secretary of the Interior is hereby authorized in his Landowners within, discretion, under rules and regulations to be prescribed by him, to ings and select lien lands from public doaccept relinquishments and reconveyances to the United States of main. such privately owned lands, as in his opinion are desirable for and should be reserved for the use and benefit of the Navajo Tribe of Indians, including patented and nonpatented Indian allotments and selections, within the counties of Apache, Navajo, and Coconino, Arizona; and any Indian so relinquishing his or her right shall be entitled to make lieu selections within the areas consolidated for Indian purposes by this Act. Upon conveyance to the United States of a good and sufficient title to any such privately owned land, except Indian allotments and selections, the owners thereof, or their assigns, capted. are hereby authorized, under regulations of the Secretary of the Interior, to select from the unappropriated, unreserved, and nonmineral public lands of the United States within said counties in the State of Arizona lands approximately equal in value to the lands thus conveyed, and where surrendered lands contain springs or living waters, selection of other lands taken in lieu thereof may be of like character or quality, such values to be determined by the Secretary of the Interior, who is hereby authorized to issue patents for the lieu lands so selected. In all selections of lieu lands under section 2 of be by publication. The privately owned lands relinquished to the United States under section 2 of this Act shall be held in trust for the Navajo Tribe of the lands at the lands relinquished to the Navajo Tribe of the lands relimited tion 2 of this Act shall be held in trust for the Navajo Tribe of Indians; and relinquishments in Navajo County, Arizona, excluding Indian allotments and selections, shall not extend south of the same ship line between townships 20 and 21 north, Gila and Salt River base and meridian. The State of Arizona may relinquish such tracts

Arizona.

Exchanges per Arizona.

Vol. 36, p. 558. defined by section 1 of this Act, as it may see fit in favor of said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguous or noncontiguous, located within

Moqui Indian Res-

Lands suitable for power sites excluded. Vol. 36, p. 575.

Vol. 41, p. 1063.

Indian allotments ex-

Exchanges permitted

Payment of fees waived.

No further allot-ments to Navajos in designated counties.

Vol. 23, p. 96.

Arizona may select its school lands in area, after completing ex-changes, etc.

Acquisition, through purchase of certain property within.

face only.
Use of funds for im-

the three counties involved equal in value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Arizona Enabling Act of June 20, 1910 (36 Stat.L. 558), except as to the payment of fees or commissions which are hereby waived. Pending the completion of exchanges and consolidations authorized by section 2 of this Act, no further allotments of public lands to Navajo Indians shall be made in the counties of Apache, Navajo, and Coconino, Arizona, nor shall further Indian homesteads be initiated or allowed in said counties to Navajo Indians under the Act of July 4, 1884 (23 Stat.L. 96); and thereafter should allotments to Navajo Indians be made within the above-named counties, they shall be confined to land within the boundaries defined by section 1 of this Act.

SEC. 3. Upon the completion of exchanges and consolidations authorized by section 2 of this Act, the State of Arizona may, under rules and regulations to be prescribed by the Secretary of the Interior, relinquish to the United States such of its remaining school lands in Coconino, Navajo, and Apache Counties as it may see fit: and shall have the right to select from the vacant, unreserved, and nonmineral public lands in said counties lieu lands equal in value to those relinquished without the payment of fees or commissions.

SEC. 4. For the purpose of purchasing privately owned lands, together with the improvements thereon, within the boundaries above defined, there is hereby authorized to be appropriated, from any Sum authorized; re-funds in the Treasury not otherwise appropriated, the sum of imbursable. \$481,879.38, which sum shall be reimbursable from funds accruing to the Navajo tribal funds as and when such funds accrue and shall remain available until expended: Provided, That title to the land so Provisos.

Title may be for surplused may, in the discretion of the Secretary of the Interior, be taken for the surface only: Provided further, That said funds may be used in purchasing improvements on any land within said boundaries or on leased State school land within the boundaries above defined, provided the State of Arizona agrees to the assignment of said leases to the Navajo Tribe of Indians on a renewable and preferential basis, and provided the Legislature of said State enacts such laws as may be necessary to avail itself of the exchange provisions contained in section 2 of this Act, and disclaim any right, title, or interest in and to any improvements on said lands.

Approved, June 14, 1934.

[CHAPTER 522.]

AN ACT

To reclassify terminal railway post offices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the terminal railway post office system shall be maintained for the purpose of 1063; handling and distributing mail not handled or distributed in railway post office lines or post offices, and the clerks in said terminal railway post offices shall be classified as railway postal clerks and progress successively to grade 4. Clerks in charge of terminals, tours, or crews consisting of less than twenty employees shall be of grade 5. Clerks in charge of terminals, tours, or crews consisting of twenty or more employees shall be of grade 6. When a terminal railway post office is operated in three tours there shall be a relief clerk in Provises.
Rating of clerks in charge: Provided, That the clerk in charge of terminals having charge terminals.

So reduction in pay. That no employee in the Postal Service shall be reduced in rank or salary as a result of the provisions of this Act.

Approved, June 14, 1934.

June 14, 1934. [H.R. 9392.] [Publie, No. 353.]

Postal service.
Terminal railway
post offices.
Vol. 43, p 1063;
U.S.C., p. 1272.

Classifications clerks in charge.

Relief clerks.

ICHAPTER 523.1

JOINT RESOLUTION

To harmonize the treaties and statutes of the United States with reference to American Samoa.

[Pub. Res., No. 31.]

Thereas the convention relating to the Samoan Islands, signed by the United States, Great Britain, and Germany on December 2, of 1899. was proclaimed by the President of the United States on Vol. 31, p. 1879. Whereas the convention relating to the Samoan Islands, signed by 1899, was proclaimed by the President of the United States on February 16, 1900, and continues to be in force; and

Whereas article 3 of the said convention is word for word as follows: "It is understood and agreed that each of the three signatory powers shall continue to enjoy, in respect to their commerce and commercial vessels, in all the islands of the Samoan group privileges and conditions equal to those enjoyed by the sovereign power, in all ports which may be open to the commerce of either of them." Therefore be it

Equal rights among

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of law Laws not applicable to of the United States restricting to vessels of the United States the American Samoa, etc. transportation of passengers and merchandise directly or indirectly from any port of the United States to another port of the United States shall not be applicable to commerce beween 1 the islands of American Samoa or between those islands and other ports under the jurisdiction of the United States.

shipping

Approved, June 14, 1934.

[CHAPTER 536.]

AN ACT

To amend section 895 of the Code of Law of the District of Columbia.

June 15, 1934. [S. 2714.] [Public, No. 354.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, Authority vested in vested with authority to make harbor regulations for the entire make.

District of Columbia, harbor regulations for the entire make.

Vol. 31, p. 1335, amended. amend the same from time to time as they may find necessary: Provided, That whenever these regulations affect navigable waters, Provided, That whenever these regulations affect navigable waters, channels, and anchorage areas or other interests of the United affecting navigable waters, states such regulations shall be relief to the control of the United affecting navigable waters. States, such regulations shall be subject to the approval of the Secretary of War: And provided further, That whenever said regulations affect the waterfront within the District of Columbia under the jurisdiction of the Director of National Parks, Buildings, and Reservations, or affect the interests and rights of the National Capital Park and Planning Commission, such regulations shall be subject to prior approval of the respective agencies.

Approved, June 15, 1934.

[CHAPTER 537.]

AN ACT

To authorize the acknowledgment of oaths by post-office inspectors and by chief clerks of the Railway Mail Service.

[H.R. 6675]

[Public, No. 355.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That post-office inspectors are empowered and authorized with like force and effect post office inspectors, as officers having a seal to administer oaths required or authorized by thorized to administer oaths. law or regulation promulgated thereunder in respect of any matter oaths. coming before them in the performance of their official duties and

¹ So in original.

Proviso. No fee allowed. 73d CONGRESS. SESS. II. CHS. 537 - 539. JUNE 15, 1934.

likewise oaths to accounts for travel or other expenses against the United States, but no compensation or fee shall be demanded or accepted for administering any such oaths. Chief clerks and assistant chief clerks in the Railway Mail Service are required, empowered, and authorized, when requested, to administer oaths to employees on appointment or promotion and to accounts for travel or other expenses against the United States with like force and effect as officers having a seal: *Provided*, That for such service no charge shall be made and no fee or money paid for such service shall be paid or reimbursed by the United States.

Approved, June 15, 1934.

[CHAPTER 538.]

AN ACT

June 15, 1934. [H.R. 7360.] [Public, No. 356.]

To establish a minimum area for the Great Smoky Mountains National Park, and for other purposes.

Great Smoky Mountains National Park.
Minimum area for, established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an area of four hundred thousand acres within the minimum boundaries of the Great Smoky Mountains National Park, acquired one half by the peoples and States of North Carolina and Tennessee, and the United States, and one half by the Laura Spelman Rockefeller Memorial in memory of Laura Spelman Rockefeller, be, and the same is hereby, established as a completed park for administration, protection, and development by the United States, and so much of the Act of May 22, 1926 (44 Stat. 616), as is inconsistent herewith

Vol. 44, p. 616.

is hereby repealed.

Sec. 2. That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, or which hereafter may be allocated and made available for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Great Smoky Mountain National Park as authorized by the Act of May 22, 1926, be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose.

Land purchased from emergency work funds, made part of park.

Approved, June 15, 1934.

[CHAPTER 539.]

AN ACT

June 15, 1934. TH.R. 7759.1 [Public, No. 357.]

To amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin.

Menominee Indian Reservation, Wis., tim-ber operations. Vol. 35, p. 52, amend-

ed.
Fair market stumpage value of timber cut during fiscal year to be fixed.

amount.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act approved March 28, 1908 (35 Stat.L. 51), entitled "An Act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin", be, and is hereby, amended by adding at the end thereof the following: "The Secretary of the Interior shall at the end of each fiscal year ascertain and fix the fair Interior shall at the end of each fiscal year ascertain and fix the fair Payment to mem-market stumpage value of the fully matured and ripened green timber cut on said reservation during the fiscal year and shall during the succeeding fiscal year pay said amount in equal shares to each member of the Menominee Tribe of Indians, living and on the tribal rolls, on the last day of said fiscal year: Provided, That said amount so distributed during any fiscal year shall not exceed the amount actually earned from timber operations on said reservation during the previous fiscal year. The expenditures proposed for the pur- Expenses proposed poses specified herein shall be submitted to the tribal council, or its by tribal council. authorized business committee, for its advance review and approval."

Approved, June 15, 1934.

[CHAPTER 540.]

AN ACT

To provide for the enrollment of members of the Menominee Indian Tribe of the [H.R. 8541.]
State of Wisconsin.

June 15, 1934.
[H.R. 8541.]
[Public, No. 358.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to prepare a certified roll of the members of the Menominee Indian Tribe in the hers to be prepared. State of Wisconsin, and from time to time to add names to such roll in accordance with the provisions of this Act, which roll shall constitute the official roll of members of said tribe for all purposes. The names of all persons on the tribal rolls on the date of the enactment of this Act shall automatically be placed on the roll authorized to be prepared under the provisions of this Act and shall be used as a basis for the compilation and preparation of said roll by the time to time, place on said roll the names of such additional persons persons.

Additional qualified as are entitled to the privilege of appellment and the pr as are entitled to the privilege of enrollment under the provisions of this Act.

Present enrollment to be used as basis.

SEC. 2. Any person whose name is not on the roll of the Menominee Application for en-Indian Tribe on the date of the enactment of this Act may at any time hereafter apply to the Secretary of the Interior to have his name placed thereon. Such application shall be in writing, shall contain such information as the Secretary of the Interior may require, and shall be subscribed and sworn to before an official authorized to administer oaths; except that in the case of minors under the age of eighteen years and in the case of persons who are mentally incompetent, such application may be executed by any member of the Menominee Tribe of Indians in behalf of such minor or mentally

incompetent person.

SEC. 3. At the end of each fiscal year, the Secretary of the Inte-applicants. rior shall compile a list of all persons who have applied for enrollment as a member of the Menominee Indian Tribe during the past fiscal year, and he shall certify such list of applicants to the general council of the Menominee Indian Tribe requesting said general council to investigate the qualifications of such applicants and to report its findings to the Secretary of the Interior. The Secretary of the Interior shall take no action on any application for enrollment until after the expiration of one year from the date the certified list of applicants was forwarded to the general council of the Menominee Indian Tribe, unless the said general council of the Menominee Indian Tribe shall have previously filed its findings and recommendations with reference thereto with the Secretary of the

SEC. 4. No person whose name does not appear on the tribal roll ment. Eligibility to enrollof the Menominee Indian Tribe on the date of the enactment of this Act shall hereafter be eligible to enrollment unless he possesses at least one fourth of Menominee Indian blood, and any person possessing one fourth or more of Menominee Indian blood who has been or may be born of parents residing, at the time of such birth, upon the Menominee Reservation, at least one of whom is an enrolled member of the Menominee Tribe, or who has been or may be adopted by the Menominee Tribe, shall be entitled to have his name placed

Adopted member.

Proviso. Persons excluded.

on the tribal roll by the Secretary of the Interior in the manner provided for in this Act and shall be entitled to all the privileges of membership in said tribe: Provided, That no person who participated in the so-called "Half Breed Payment of 1849" shall, for the purposes of enrollment as a member of the tribe, be considered as possessing any Menominee Indian blood, and no person claiming to possess one fourth or more of Menominee Indian blood shall hereafter be placed on the tribal roll unless he can establish the fact that he possesses the required one fourth or more of Menominee Indian blood as a descendant of a person or persons possessing Menominee Indian blood other than those persons who participated in the so-called "Half Breed Payment of 1849."

Back annuities or per capita payments de-nied.

Sec. 5. No person whose name shall hereafter be placed on the roll of the Menominee Indian Tribe shall be entitled to any back annuities or per capita payments made to the members of the tribe out of tribal funds which were authorized to be paid to the members of said tribe before such person's name shall have been placed upon such roll.

Appeal of enrollment decision.

SEC. 6. Any person whose application for enrollment as a member of the Menominee Indian Tribe is denied by the Secretary of the Interior shall have the right of appeal to the Federal District Court for the Eastern District of Wisconsin at any time within two years after the denial of such application by the said Secretary of the Interior, and the general council of the Menominee Indian Tribe shall have the right to appeal to said court from any order or decision of the Secretary of the Interior granting any such application or placing the name of any applicant on the tribal roll, at any time within two years after such order or decision of the Secretary of the Notice and hearing Interior. Notice of such appeal and of the hearing thereof shall be given to the Secretary of the Interior, the applicant and the general council of the Menominee Indian Tribe, in such manner as the court, Provise.
Failure to approve by order, shall direct: Provided, That failure on the part of the deemed a denial.

Secretary of the Interior to approve or deny any application, within Secretary of the Interior to approve or deny any application, within two years after the same has been filed with him, shall, for the purposes of this section, be deemed a denial of such application. Said affidavits and other evidence district court shall consider all affidavits on file with the Secretary of the Interior with reference to the particular application and shall also consider such additional evidence as may be presented in the form of affidavits or otherwise by any of the parties in interest and shall hear such witnesses in open court as either party may present, and at the conclusion thereof the court shall either affirm or deny the right of said applicant to enrollment as a member of the Menominee Judgment conclu- Indian Tribe, which judgment shall be conclusive. In the event the court decides that the applicant is entitled to enrollment, the court shall order the Secretary of the Interior to place the

thereon.

dence presented.

Conflicting tribal custom or act of Congress repealed

applicant's name on the tribal roll as of the date upon which said application was denied by the Secretary of the Interior.

Sec. 7. The provisions of this Act shall be applicable to the enrollment of members of the Menominee Indian Tribe of the State of Wisconsin notwithstanding any conflicting tribal custom of said tribe, and any Act or Acts of Congress in conflict with the provisions of this Act are hereby repealed insofar as same relates to the Menominee Indians.

Approved, June 15, 1934.

[CHAPTER 541.]

AN ACT

To authorize the Commissioners of the District of Columbia to sell the old Tenley School to the duly authorized representative of Saint Ann's Church of the District of Columbia.

June 15, 1934 [H.R. 9184.] [Public, No. 359.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, Building authorized authorized to sell and convey to the duly constituted representative and agent of Saint Ann's Roman Catholic Church, of the District of Columbia, located at or near the Corner of Wisconsin Avenue and Yuma Street northwest, the following described real estate: The old Tenley School Building, and original site, known as parcels 35/130 and 131, parcel 130 containing two thousand eight hundred and eighty square feet, and parcel 131 containing forty-two thousand and thirty-six square feet, or a total of forty-four thousand nine hundred and sixteen square feet, being the same land and premises now leased to the pastor of Saint Ann's Church by a certain lease signed by the Commissioners of the District of Columbia, dated October 16, 1933, and now included in parcel 35/260.

Approved, June 15, 1934.

[CHAPTER 542.]

AN ACT

To change the name of the retail liquor dealers' stamp tax in the case of retail drug stores or pharmacies.

June 15, 1934. [H.R. 3768.] [Public, No. 360.]

Be it enacted by the Senate and House of Representatives of the united States of America in Congress assembled, That the first paragraph of subdivision "Fourth" of section 3244 of the Revised Statutes, as amended (U.S.C., title 26, sec. 205 (a)), is amended by adding at the end thereof a new sentence to read as follows:

"The tax required to be paid by this paragraph shall, in case of a retail drug store or pharmacy making sales of liquous thereof U.S.C., p. 741. duly licensed pharmacist, be designated as a 'medicinal spirits stamp tax.'"

Approved, June 15, 1934.

[CHAPTER, 543.]

JOINT RESOLUTION

Authorizing the creation of a Federal Memorial Commission to Louis, Missouri, of a permanent memorial to the men who made possible the territorial expansion of the United States, particularly President Thomas Jefferson and his aids, Livingston and Monroe, who negotiated the Louisiana Purchase, and to the great explorers, Lewis and Clark, and the hardy hunters, trappers, frontiersmen, and pioneers and others who contributed to the territorial expansion and development of the United States of America.

Whereas Thomas Jefferson, as President of the United States, insured, through the Louisiana Purchase and the Lewis and Clark Expedition, the expansion of our national domain to the Pacific

Ocean; and

June 15, 1934. [S.J.Res. 93.] [Pub. Res., No. 32.] Pub. Res., 110. United States Territorial

Whereas the early exploration and occupancy of these vast territorial additions of diversified climate and great riches, down the Ohio and up the Mississippi and Missouri Rivers and over the Santa Fe Trail and the Oregon Trail to the Pacific, stirred and broadened the Nation to a vision of our safety against encroachment from without and of our economic independence from within, that would come with a rounding out of the national boundary by the annexation of Texas and the acquisition of California; and

Whereas the national expansion of our country westward from its original confines along the eastern seaboard to include a continental empire stretching from the Atlantic to the Pacific is due in large part to the vision and genius of Thomas Jefferson and the other

patriotic citizens who worked to the same end; and

Whereas there exists no adequate permanent national memorial to Thomas Jefferson, the Louisiana Purchase, the Lewis and Clark Expedition, or the other important movements and achievements connected therewith in the Mississippi Valley or elsewhere in the United States; and

Whereas the American people feel a deep debt of gratitude to Thomas Jefferson and all those who contributed to the territorial

expansion of our Nation: Now, therefore, be it
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is Establishment, title, hereby established a commission, to be known as the "United States Territorial Expansion Memorial Commission" (hereinafter designated as the "United States Commission"), for the purpose of considering and formulating plans for designing and constructing a permanent memorial on the Mississippi River, at Saint Louis, Missouri, said Commission to be composed of fifteen commissioners as follows: Three persons to be appointed by the President of the United States, three Senators by the President of the Senate, three Members of the House of Representatives by the Speaker of the House of Representatives, and six members of the Jefferson National Expansion Memorial Association to be selected by such association.

Sec. 2. The United States Commission may in its discretion accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating, preparing, and considering plans and estimates for the improvement, construction, or other expenses incurred, or to be incurred.

SEC. 3. The United States shall not be held liable for any obligation or indebtedness incurred by the United States Commission, the State of Missouri, the Jefferson National Expansion Memorial Association, the city of Saint Louis, Missouri, or any other agency or officer, employee or agent of them, or any of them, for any purpose.

Approved, June 15, 1934.

[CHAPTER 545.]

AN ACT

June 16, 1934. [S. 2347.] [Public, No. 361]

To amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended.

Inland Waterways Corporation Act amended.

Common carrier servree provisions tended. Vol. 45, p. 980.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (e) of section 3 of the Act entitled "An Act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the Transportation Act, and for other purposes", approved

purpose

Acceptance of dona-tions, etc.

No Federal liability.

Composition of Com-

June 3, 1924, as amended, is amended by striking out after the word p. U.S.C., Supp. VII, "Warrior" the words "River or the Mississippi River", and inserting in lieu thereof a comma and the words "Mississippi, Columbia, or Snake Rivers,"

Approved, June 16, 1934.

[CHAPTER 546.]

AN ACT

To amend section 12B of the Federal Reserve Act so as to extend for one year the temporary plan for deposit insurance, and for other purposes.

June 16, 1934. [S. 3025.] [Public, No. 362.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12B amendment of the Federal Reserve Act is amended-

Federal Reserve Act,

(1) By striking out "July 1, 1934" wherever it appears in sub-surance; extensions. sections (e), (l), and (y), and inserting in lieu thereof "July 1, Subscriptions; insurance; extensions.

1935";
(2) By striking out "June 15, 1934" where it appears in the last by Fund members. sentence of the third paragraph of subsection (y) and inserting Ante, p. 179.

in lieu thereof "October 1, 1934";

(3) By striking out "June 30, 1934" where it appears in the first member closes before sentence of the fifth paragraph of subsection (y), and inserting June 30, 1935";

[10] Depositions extended

Deposit insurance. Provisions extended. Ante, p. 180.

(4) By amending the second sentence of the fifth paragraph of subsection (y) to comprise two sentences reading as follows: "The provisions of such subsection (1) relating to State member banks shall be extended for the purposes of this subsection to members of the Fund which are not members of the Federal Reserve System, the Fund which are not members of the Federal Reserve System, Appointment of Corand the provisions of such subsection (1) relating to the appointment initiation. of the Corporation as receiver shall be applicable to all members of the Fund. The provisions of this subsection shall apply only to deposits of members of the Fund which have been made available

since March 10, 1933, for withdrawal in the usual course of the banking business.";

(5) By adding to the sixth paragraph of subsection (y) the nonmember's right to following: "The Corporation shall prescribe by regulations the Ante, p. 180. manner of exercise of the right of nonmember banks to withdraw from membership in the fund on July 1, 1934, except that no bank shall be permitted to withdraw unless ten days prior thereto it has given written notice to the Corporation of its election so to do. Banks which withdraw from the Fund on July 1, 1934, shall be entitled to a refund of their proportionate share of any estimated balance in the Fund on the same basis as if the Fund had terminated on July 1, 1934.";

(6) By adding to the end of the fourth paragraph of subsection

Refunds.

(y) the following new paragraphs:

"On and after July 1, 1934, the amount eligible for insurance increased.

under this subsection for the purposes of the October 1, 1934 certified

Amount of deposit insurance increased.

Ante, p. 179

statement, any entrance assessment, and, if levied, the additional assessment, shall be the amounts not in excess of \$5,000 of the deposits of each depositor.

Each mutual savings bank, unless it becomes subject to the banks. Mutual savings provisions of the preceding paragraph in the manner hereinafter provided, shall be excepted from the operation of the preceding paragraph and for each such bank which is so excepted the amount eligible for insurance under this subsection for the purposes of the October 1, 1934 certified statement, any entrance assessment, and, if levied, the additional assessment, shall be the amounts not in Deposits insured not exceeding \$2,500. excess of \$2,500 for the deposits of each depositor. In the event

Proviso.
Election to insure deposits on same basis as other fund members.

"Fund for Mutuals." Establishment.

When to become operative.

Membership.

Fund members excluded. ing payments.

Provisions applicable

Liabilities of Fund to be equally shared.

Insurance of deposits, nonmember banks.
Subscription for class A stock, State bank member of Fund. Ante, pp. 172, 180.

Benefits to State banks after Fund ter-minated.

Insurance of deposits, sign to be displayed.
Ante, p. 178.

Regulations.

Payments if bank any mutual savings bank shall be closed on account of inability to meet its deposit liabilities the Corporation shall pay not more than \$2,500 on account of the net approved claim of any owner of deposits in such bank: Provided, however, That should any mutual savings bank make manifest to the Corporation its election to be subject to the provisions of the preceding paragraph the Corporation may, in the discretion of the board of directors, permit such bank to become so subject and the insurance of its deposits to continue on the same basis and to the same extent as that of fund members other than mutual savings banks.

"The Corporation, in the discretion of the board of directors, may open on its books solely for the benefit of mutual savings banks an additional Temporary Federal Deposit Insurance Fund (hereinafter referred to as the 'Fund For Mutuals') which, if opened, shall become operative on or after July 1, 1934, but prior to August 1, 1934, and shall continue to July 1, 1935. If the Fund For Mutuals is opened on the books of the Corporation, each mutual savings bank which is or becomes entitled to the benefits of insurance during the uded. Assessments, include period of its operation shall be a member thereof and shall not be a Fund member. All assessments on each mutual savings bank, including payments heretofore made to the Corporation less an equitable deduction for liabilities and expenses of the Fund incurred

prior to the opening of the Fund For Mutuals, if opened, shall be transferred or paid, as the case may be, to the Fund For Mutuals. All provisions of this section applicable to the Fund and not inconsistent with this paragraph shall be applicable to the Fund For Mutuals if opened, except that as to any period the two are in operation the Fund shall not be subject to the liabilities of the Fund For Mutuals and the Fund For Mutuals shall not be subject to the liabilities of the Fund. Each mutual savings bank admitted to the Fund shall bear its equitable share of the liabilities of the Fund for the period it is a member thereof, including expenses of operation

and allowing for anticipated recoveries."; Amount of deposits eligible for insurance increased, after June the fifth paragraph of subsection (y) and inserting in lieu thereof 30, 1934.

a comma and the following: "if the member closed on or before that \$5,000 if closed on or after

July 1, 1934.";
(8) By (a) striking out "July 1, 1936" in the first sentence of subsection (l) and inserting in lieu thereof "July 1, 1937", (b) striking out the words "July 1, 1936" in the seventh paragraph of subsection (y) and inserting in lieu thereof "July 1, 1937", and (c) adding after the seventh paragraph of subsection (y) the following new paragraph:

"Until July 1, 1937, any State bank may obtain the benefits of this section on and after the date the Fund is terminated upon the conditions with regard to examination, certification, and approval governing the admission of State banks to the Fund and upon purchasing such class A stock or making such a deposit as is prescribed in the preceding paragraph for former fund members.";

(9) By adding at the end of the first paragraph of subsection (v)

following new paragraph:

"Every insured bank shall display at each place of business maintained by it a sign or signs to the effect that its deposits are insured by the Federal Deposit Insurance Corporation. The Corporation shall prescribe by regulation the form of such sign and the manner of its display. Such regulation may impose a maximum penalty of \$100 for each day an insured bank continues to violate any lawful provisions of said regulation."; and

(10) By amending the first sentence of the second paragraph of Membership of Fund subsection (y) by inserting within the parentheses and immediately etc. after the words "District of Columbia" the words "and the Terri-Ante, p. 179. tories of Hawaii and Alaska"

Sec. 2. The first paragraph of section 9 of the Federal Reserve Act, as amended (U.S.C., title 12, sec. 321), is amended by adding p. 160, Supp. VII, after the second sentence thereof a new sentence to read as follows:

"For the purposes of membership of any such bank the terms "Capital" and "capital stock" shall include the amount of outstanding ital stock" construed. capital notes and debentures legally issued by the applying bank and purchased by the Reconstruction Finance Corporation."

SEC. 3. (a) The Reconstruction Finance Corporation Fig. 20, 20, 20, 21, 21, 22, 22, 23, 247, p. 8; U.S.O., supp. VII, p. 153. Sec. 3. (a) The Reconstruction Finance Corporation Act, as Finance Corporation

ing new section:
"Sec. 5e. (a) The Corporation is authorized and empowered to make loans upon or purchase the assets of any bank, savings bank, loans to, or purchase or trust company, which has been closed on or after December 31, of assets of, authorized 1929, and prior to January 1, 1934, and the affairs of which have not been fully liquidated or wound up, upon such torms and trust and the same and trust and the same and trust are saving to the saving and trust are saving to the saving and the saving and trust are saving to the saving and trust are saving to the saving to th been fully liquidated or wound up, upon such terms and conditions with the reorganization, stabilization, or liquidation of any such iters. of depositors or depositors and others, the authority, subject to regulations, as provided in the preceding sentence shall be extended for the purpose of authorizing the Corporation to purchase or make loans on such assets held for the benefit of such depositors or depositution that has reopened without payment of deposits in full. In full. In the Company purchase of or loan on the assets of the company purchase of or loan on the assets of the company purchase of or loan on the assets of the company purchase of or loan on the assets of the company purchase of or loan on the assets of the company purchase of the Corporation shall appraise such assets in anticipation of an orderly liquidation over a period of years, rather than on the basis of forced selling values in a period of business depression. This authority shall also extend to assets of the character made eligible to other eligible assets by this section as security for loans without regard to whether the Corporation has heretofore made loans thereon.

"(b) The Corporation shall purchase at par value such debentures or other obligations of the Federal Deposit Insurance Corporation of Pederal Deposit Insurance Corporation.

Superscript in the Corporation of Pederal Deposit Insurance Corporation. Furchase of, when additional remarks resulted to be issued under subsection (o) of section 12B additional remarks resulted to be insured to the Leondon of the Leondon remarks resulted to the corporation of Pederal Deposit Insurance Corporation. of the Federal Reserve Act, as amended, upon request of the board of quired. directors of the Federal Deposit Insurance Corporation, whenever in the judgment of said board additional funds are required for insurance purposes: Provided, That the Corporation shall not purchase or hold at any time said debentures or other obligations in excess of \$250,000,000 par value: Provided further, That the proceeds derived \$250,000,000 par value: Provided further, That the proceeds derived proceeds from such from the purchase by the Corporation of any such debentures or purchases for insurance purposes solely. other such obligations shall be used by the Federal Deposit Insurance Corporation solely in carrying out its functions with respect

to such insurance.

"(c) The amount of notes, bonds, debentures, and other such obligations which the Corporation is authorized and empowered to issue mitted."

Maximum outstanding obligations permitted. and to have outstanding at any one time under existing law is hereby increased by \$250,000,000."

SEC. 4. So much of section 31 of the Banking Act of 1933 as relates revisions concernt to stock ownership by directors, trustees or members of similar gov-directors, etc., reerning bodies of member banks of the Federal Reserve System, is pealed. Ante, p. 194. hereby repealed.

Approved, June 16, 1934.

Ante, p. 164. U.S.C., Supp. VII,

Provisos. Limitation.

73d CONGRESS. SESS. II. CHS. 547-549. JUNE 16, 1934.

[CHAPTER 547.]

AN ACT

June 16, 1934. [H.R. 6037.] [Public, No. 363.]

To exempt from taxation certain property of the National Society of the Sons of the American Revolution.

District of Columbia.
Tax exemption, property of Sons of American Revolution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all property belonging to, or held by, the National Society of the Sons of the American Revolution in the District of Columbia, used and occupied by that society, so long as the same is owned and occupied, be exempt from taxation, national and municipal.

Approved, June 16, 1934.

[CHAPTER 548.]

AN ACT

June 16, 1934. [S. 74.] [Public, No. 364.] To authorize payment of expenses of formulating claims of the Kiowa, Comanche, and Apache Indians of Oklahoma against the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the

Kiowa, etc., Indians United States of America in Congress assembled, That there is of Oklahoma.

Payment of expenses in formulating claims of, authorized.

From tribal funds.

Payment of expenses hereby authorized to be expended, out of the Kiowa Agency Hospital to, authorized.

From tribal funds.

Payment of expenses of the Kiowa, Comanche, and Apache tribal council in the 4 per centum fund, not to exceed the sum of \$10,000, to pay the expenses of the Kiowa, Comanche, and Apache tribal council in the formulation of any claims of said tribes against the United States. Such expenses shall include traveling and other expenses of members Expenditures in of the tribal council, or committees thereof, including visits to Washington, District of Columbia, when duly authorized or approved by the Secretary of the Interior; costs of procuring the attendance of witnesses, and the expenses of attorneys employed under contract in accordance with existing law. All claims for expenses hereunder shall be presented and paid in conformity with existing regulations. Approved, June 16, 1934.

[CHAPTER 549.]

AN ACT

June 16, 1934. [S. 3117.] [Public, No. 365.]

Authorizing and directing the Court of Claims, in the event of judgment or judgments in favor of the Cherokee Indians, or any of them, in suits by them against the United States under the Acts of March 19, 1924, and April 25, 1932, to include in its decrees allowances to Frank J. Boudinot, not exceeding 5 per centum of such recoveries, and for other purposes.

Frank J. Boudinot. Compensation to, for services in suits by Cherokee Nation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in compliance with request of the Cherokee Indians upon final determination by the Court of Claims of any suit or suits against the United States by the said Indians, sometimes known as the "Cherokee Nation", or by any class, classes, or bands thereof, commenced and prosecuted under the authority of the Acts of Congress approved March 19, Vol. 43, p. 27; Vol. 47, 1924 (43 Stat.L. 27), and/or April 25, 1932 (47 Stat.L. 137), and in the event judgment or judgments shall be rendered in favor of said Indians, or any of them, the said Court of Claims is hereby authorized and directed to include in its decrees allowances to Frank J. Boudinot, a member of the Cherokee Tribe of Indians, who has for many years been active in pressing the claims of the Cherokees against the United States by their request and direction and at his

own expense, or to his heirs, personal representatives, or assigns, a reasonable percentage, not to exceed 5 per centum, of such recov-

eries: Provided, That such allowances to said Frank J. Boudinot shall be in addition to any and all fees and expenses authorized by tional to authorized said Acts of Congress of March 19, 1924, and April 25, 1932; and other contracts not said Acts of Congress of March 19, 1924, and April 25, 1932; and this Act shall not be construed to affect in any way the contracts affected. with attorneys entered into thereunder.

Proviso. contracts not

Approved, June 16, 1934.

[CHAPTER 550.]

AN ACT

payment of money orders at offices other than those on which the orders are drawn. To compensate the Post Office Department for the extra work caused by the

June 16, 1934. [H.R. 3214.] [Public, No. 366.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to regulate the payment of postal money orders", approved February 6, 1914 (38 Stat. 280; U.S.C., title 39, sec. 727), p. 1279.

Postal service. Postal money orders. Vol. 38, p. 280; U.S.C.,

is amended to read as follows:

"That under such rules and regulations as the Postmaster General of the payment at offices on the payment at offices of the payment at offices shall prescribe postal money orders may be issued payable at any which drawn. money-order post office, and on and after the date upon which such rules and regulations become effective all money orders shall be legally payable at any money-order post office, although drawn on a specified office; and as compensation for the extra labor involved in paying a money order at an office other than that on which the order is drawn the Postmaster General is authorized to exact a fee of the same amount as that charged for the issue of the order; and that all laws or parts of laws in conflict herewith are hereby repealed."

Approved, June 16, 1934.

[CHAPTER 551.]

AN ACT

To amend an Act entitled "An Act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933.

June 16, 1934. [S. 2674.] [Public, No. 367.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection Agricultural Adjust-(c) of section 15 of the Act entitled "An Act to relieve the existing ment Act amended. national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes", approved May 12, 1933, is amended to read as follows:

Ante, p. 39

"Any person, including any State or Federal organization or institution, delivering any product to any organization for charitable tax on products for distribution, or use, including any State or Federal welfare organization, for its own use, whether the product is delivered as merchandise, or as a container for merchandise, or otherwise, shall, if such product or the commodity from which processed is under this title subject to tax, be entitled to a refund of the amount of any tax due and paid under this title with respect to such product so delivered, or to a credit against any tax due and payable under this title of the amount of tax which would be refundable under this section with

Refund of processing

73d CONGRESS. SESS. II. CHS. 551-553. JUNE 16, 1934.

Proviso.
Restriction.

Time limitation. "State," defined

respect to such product so delivered: Provided, however, That no tax shall be refunded or credited under this section, unless the person claiming the refund or credit establishes, in accordance with regulations prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury (1) that he has not included the tax in the price of the product so delivered or collected the amount of the tax from the said organization, or (2) that he has repaid, or has agreed in writing to repay, the amount of the tax to the said organization. No refund shall be allowed under this section unless claim therefor is filed within six months after delivery of the products to the organization for charitable distribution, or use. The word 'State' as used in this section shall include a State and any political subdivision thereof."

Approved, June 16, 1934.

[CHAPTER 552.]

AN ACT

June 16, 1934 [H.R. 8525.] [Public, No. 368.]

District of Columbia Alcoholic Beverage Control Act, amended. Ante, p. 329.

Restriction on issuing retailer's licenses in residential-use district modified.

To amend the District of Columbia Alcoholic Beverage Control Act to permit the issuance of retailers' licenses of class B in residential districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 15 of the District of Columbia Alcoholic Beverage Control Act is amended to read as follows:

"Sec. 15. No retailer's licenses except of classes B or E shall be issued for any business conducted in a residential-use district as defined in the zoning regulations and shown in the official atlases of the Zoning Commission, except for a restaurant or tavern conducted in a hotel, apartment house, or club, and then only when the entrance to such restaurant or tavern is entirely inside of the hotel, apartment house, or club and no sign or display is visible from the outside of the building."

Approved, June 16, 1934.

[CHAPTER 553.]

AN ACT

June 16, 1934 [H.R. 9002.] [Public, No. 369.]

To provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June 16, 1933, and

Relief of Government contractors operating under Code.
Comptroller General to adjust claims of, for increased costs of performance.

for other purposes. Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized

. Inte, p. 212.

and directed to adjust and settle on a fair and equitable basis claims of persons who entered into a contract or contracts with the United States prior to August 10, 1933, including subcontractors and materialmen performing work or furnishing material or necessary fuel direct to the contractor under such contracts, for additional costs incurred by reason of compliance on and after August 10, 1933, with a code or codes of fair competition approved by the President under section 3 of the Act approved June 16, 1933, known as the "National Industrial Recovery Act", or by reason of compliance with an agreement with the President executed under section 4 (a) of said Act in the performance after August 10, 1933, of the contract or any part thereof. In the event that such contract was performed wholly or in part by a surety on the bond of the contractor, the claim may be presented by and settlement made with such surety, but such

surety shall have no greater rights than would have accrued to the

by surety

contractor had such contractor completed the contract. Any con- Filing, examining claims. tractor, subcontractor, or completing surety desiring an adjustment and settlement with respect to any such contract under this Act for increased costs incurred after August 10, 1933, by reason of compliance with the codes or reemployment agreements shall file with the department or administrative establishment concerned a verified claim itemizing such additional costs, and any subcontractor on any such contract may file his claim directly with the head of the department or independent establishment concerned or through the contractor. After the claim has been examined by the head of the Reference department or independent establishment concerned, or such person General or persons as he shall designate, the claim shall be transmitted to the Comptroller General of the United States, accompanied with an administrative finding of fact and recommendation with respect to the claim.

Reference, with find-ng, to Comptroller

Sec. 2. In no event shall any allowance exceed the amount by exceed outlay. which the cost of performance of such part of the contract as was performed subsequently to August 10, 1933, was directly increased by reason of compliance with a code or codes of fair competition, or with an agreement with the President, as aforesaid.

not to

SEC. 3. In no event shall any allowance be made which would result profit to claiment in a profit to the claimant exceeding 7 per centum on the cost of performance of the contract in respect of which the claim is made. The head of the department or establishment concerned, subject to profit the approval of the Comptroller General, shall have the authority. from time to time, to determine the actual cost and profit thereon.

Sec. 4. No claim hereunder shall be considered or allowed unless presented within six months from the date of approval of this Act or, at the option of the claimant, within six months after the completion of the contract, except in the discretion of the Comptroller

Determining cost and

General for good cause shown by the claimant. Sec. 5. Appropriations for the purpose of paying claims allowed Appropriations

Time limitation.

hereunder and the expenses of determining the claims are hereby authorized.

Sec. 6. In all proceedings under this Act witnesses may be com- Attendance of witnesses, etc. pelled to attend, appear, and testify and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to incriminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding. Nothing in this Act shall in any way relieve or excuse any officer of the United States or any claimant from prosecution under any statute of the United States for any fraud or criminal

Prosecutions.

Approved, June 16, 1934.

[CHAPTER 554.]

AN ACT

Providing for the issuance of patents upon certain conditions to lands and accretions thereto determined to be within the State of New Mexico in accordance with the decree of the Supreme Court of the United States entered April 9, June 16, 1934. [H.R. 5369.] [Public, No. 370.]

Be it enacted by the Senate and House of Representatives of the of the Interior is authorized and directed to issue patents for the public lands determined to be within the State of New Mexico in accordance with the decree of the Supreme Court of the United

73d CONGRESS. SESS. II. CHS. 554-556. JUNE 16, 1934.

Vol. 45, p. 1445.

States entered April 9, 1928 (New Mexico against Texas, 276 U.S. 558), to the persons in actual and bona fide possession of and claiming title on April 9, 1928, under patent from the State of Texas to such lands, upon payment therefor by such persons to the United States at the rate of \$1.25 an acre.

Requirements of applicants

Sec. 2. In order to receive a patent under this Act, the persons entitled thereto, their heirs or assigns, shall within five years from the passage of this Act, submit a written application describing the land according to their claim of title, and the proof of the facts necessary under this Act to entitle the applicant to make entry shall be submitted in accordance with such regulations as the Secretary of the Interior may prescribe, including posting and publication of notice as now prescribed under the homestead laws.

Lands acquired sub-ject to liens, etc.

SEC. 3. It is further provided that any land acquired by patent under this Act shall be subject to the same liens, other than liens for taxes and water and like quasi-public charges, that would have been against such land had it been in Texas.

Sec. 4. As used in this Act the term "person" includes an indi-

vidual, corporation, partnership, or association.

Approved, June 16, 1934.

[CHAPTER 555.]

AN ACT

June 16, 1934 [H.R. 6781.] [Public No. 371.]

To authorize appropriations to pay the annual share of the United States as an adhering member of the International Council of Scientific Unions and

International Coun-United States of America in Congress assembled, That there is cil of Scientific Unions. Annual appropriations authorized to be appropriated, to be expended under the thors authorized for direction of the Secretary of State. in paying the country of the state of the secretary of State. direction of the Secretary of State, in paying the annual share of the United States as an adhering member of the International Council of Scientific Unions and associated unions, including the International Astronomical Union, International Union of Chemistry, International Union of Geodesy and Geophysics, International Union of Mathematics, International Scientific Radio Union, International Union of Physics, and International Geographical Union, and such other international scientific unions as the Secretary of sum for fiscal year. State may designate, the sum of \$9,000 for the fiscal year ending June 30, 1935.

1935

Approved, June 16, 1934.

[CHAPTER 556.]

AN ACT

June 16, 1934. [H.R. 8639.] [Public, No. 372.]

To repeal certain laws providing for the protection of sea lions in Alaska waters.

ing. Vol. 41, p. 717.

Be it enacted by the Senate and House of Representatives of the Vinited States of America in Congress assembled, That all Acts and parts of Acts making it unlawful to kill sea lions, as game animals or otherwise, in the waters of the Territory of Alaska varieties.

Provided to the Senate and House of Representatives of the United States of America in Congress assembled, That all Acts and parts of Acts making it unlawful to kill sea lions, as game animals or otherwise, in the waters of the Territory of Alaska varieties. vol. 35, p. 104. Provided, however, That sea lions shall not be killed in the waters

Provided, however, That sea lions shall not be killed in the waters of Alaska except under such rules and regulations as the Secretary of Commerce may prescribe, in order to prevent the extinction of sea lions as a species of interesting sea life in the waters of Alaska.

Approved, June 16, 1934.

[CHAPTER 557.]

AN ACT

To amend the Mineral Lands Leasing Act of 1920 with reference to oil- or gasprospecting permits and leases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act Mineral Lands Leasentitled "An Act to promote the mining of coal, phosphate, oil, oil ed. shale, gas, and sodium on the public domain", approved February 25, 1920, as amended, is amended by adding the following new section:

Vol. 41, p. 451.

"Sec. 40. (a) All prospecting permits and leases for oil or gas Purchase of casings made or issued under the provisions of this Act shall be subject to suitable for agriculture, the condition that in case the permittee or lessee strikes water while etc., is struck. drilling instead of oil or gas, the Secretary of the Interior may, when such water is of such quality and quantity as to be valuable and usable at a reasonable cost for agricultural, domestic, or other purposes, purchase the casing in the well at the reasonable value thereof to be fixed under rules and regulations to be prescribed by the Secretary: *Provided*, That the land on which such well is situated shall be reserved as a water hole under section 10 of the Act of December 29, 1916.

prospecting permit or lease heretofore issued under the Act of ing permit.

February 25, 1920, as amended, the Secretary may in 1:1--"(b) In cases where water wells producing such water have here-tofore been or may hereafter be drilled upon lands embraced in any

Proviso. Water holes. Vol. 39, pp. 865, 518.

purchase the casing in such wells.

"(c) The Secretary may make such purchase and may lease or operate such wells for the purpose of producing water and of using doned wells. The same on the public lands or of disposing of such water for beneficial use on other lands, and where such wells have heretofore been plugged or abandoned or where such wells have been drilled prior to the issuance of any permit or lease by persons not in privity with the permittee or lessee, the Secretary may develop the same for the purposes of this section: Provided, That owners or occupants for the purposes of this section: *Provided*, That owners or occupants of lands adjacent to those upon which such water wells may be viently. developed shall have a preference right to make beneficial use of such water.

"(d) The Secretary may use so much of any funds available for Use of available the plugging of wells, as he may find necessary to start the program sums to initiate proprovided for by this section, and thereafter he may use the proceeds from sales as revolving the relative of such materials as a revolving fund. from the sale or other disposition of such water as a revolving fund for the continuation of such program, and such proceeds are hereby

appropriated for such purpose.

"(e) Nothing in this section shall be construed to restrict operations under any oil or gas lease or permit under any other provision of this Act."

Approved, June 16, 1934.

No restriction, unless

[CHAPTER 558.]

JOINT RESOLUTION

Authorizing suitable memorials in honor of James Wilson and Seaman A. Knapp.

[Pub. Res. No. 33]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the archway connecting the new building of the Department of Agriculture (commonly known as the "South Building") with the west wing of the main building of the Department of Agriculture shall be designated the "Wilson Memorial Arch" in memory of James

Wilson, Secretary of the Department of Agriculture for sixteen years, and shall be suitably inscribed as such.

"Knapp Arch." Memorial

SEC. 2. The archway connecting such new building with the east wing of the main building of the Department of Agriculture shall be designated the "Knapp Memorial Arch" in memory of Seaman A. Knapp, who rendered great service to American agriculture, and

Memorial tablets.

shall be suitably inscribed as such.

SEC. 3. The Grand Council of the National Honorary Extension Fraternity, Epsilon Sigma Phi, is hereby authorized to place, without expense to the United States, in each such memorial arch a suitable memorial tablet; but such tablets shall not be erected until the plans and specifications therefor have been submitted to and

Subject to approval by Fine Arts Commission.

approved by the Commission of Fine Arts. Approved, June 16, 1934.

[CHAPTER 559.]

JOINT RESOLUTION

June 16, 1934. [S.J.Res. 121.] [Pub. Res. No. 34.]

Authorizing the President to return the mace of the Parliament of upper Canada to the Canadian Government.

Speaker's mace cap-tured at Battle of York, Canada.

Whereas the mace of the Parliament of upper Canada, or Ontario, has been the symbol of legislative authority at York (now Toronto) since 1792; and

Preamble.

Whereas the mace then in use was taken at the Battle of York, April 27, 1813, by the United States forces and since has been preserved in the United States Naval Academy at Annapolis; and Whereas on July 4, 1934, there is to be unveiled in Toronto a memorial tablet erected by the United States Daughters of 1812, to the memory of General Pike and others of the United States forces who were killed in action: Now, therefore, be it

President authorized to return to Canadian Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to return said mace to the Canadian Government in token of the mutual friendship and good will existing between the people of the United States and those of Canada.

Approved, June 16, 1934.

[CHAPTER 567.]

AN ACT

June 18, 1934. [S. 852.] [Public, No. 374.]

To amend section 24 of the Trading with the Enemy Act, as amended.

Trading with the Enemy Act, amended. Vol. 42, p. 1516; Vol. 45, p. 277. the Be it enacted by the Senate and House of Representatives of the

Credit or refund of any income, or war profits, erroneously as-sessed and collected, authorized.

United States of America in Congress assembled, That section 24 (b) of the Trading with the Enemy Act, as amended by the Settlement of War Claims Act of 1928, approved March 10, 1928, is amended by adding at the end thereof the following: "Notwithstanding the expiration of any period of limitation provided by law, credit or refund of any income, war-profits, or excess-profits tax erroneously or illegally assessed or collected may be made or allowed if claim therefor was filed with the Commissioner of Internal Revenue by the Alien Property Custodian on or before February 15,

Approved, June 18, 1934.

[CHAPTER 568.]

AN ACT

To amend an Act approved May 14, 1926 (44 Stat. 555), entitled "An Act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims.

June 18, 1934. [S. 1735.] [Public, No. 375.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Minnesota. an Act approved May 14, 1926 (44 Stat. 555), be, and the same amended. is hereby, amended to read as follows:

"Section 1. That jurisdiction be, and is hereby, conferred upon Adjudication of the Court of Claims, with right of appeal to the Supreme Court United States by either party as in other cases, notwithstanding the lapse of time or statute of limitations, to hear, examine,

Vol. 25, p. 642.

and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of the Act of January 14, 1889 (25 Stat.L. 642), or arising under or growing out of any subsequent Act of Congress in relation to Indian Affairs which said Chippewa Indians of Minnesota may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States. In any such suit or suits the plaintiffs, Court of the United States. In any such suit or suits the plaintiffs, all who are entitled to the Chippewa Indians of Minnesota, shall be considered as including share in final disposition of permanent tund. and representing all those entitled to share in the final distribution of the permanent fund provided for by section 7 of the Act of January 14, 1889 (25 Stat.L. 642), and the agreements entered into thereunder: Provided, That nothing herein shall be construed to affect the powers of the Secretary of the Interior to determine funds.

Determining rolls for distributing Indian funds.

Determining rolls for distributing Indian funds.

Provisos.

Determining rolls for distributing Indian funds. fund or of the interest accruing thereon or of the proceeds of any judgments: *Provided further*, That nothing herein shall be construed to authorize the submission to the Court of Claims for

Individual claims not admitted.

Qualifications to such acquired: Provided further, That the qualifications necessary to such enrollment.

Approved, June 18, 1934.

provisions of this Act.

[CHAPTER 569.]

AN ACT

determination of any individual claim or claims to enrollment with the Chippewa Indians of Minnesota or to share in the interest or principal of the permanent Chippewa fund or in any funds hereafter

enrollment shall not be changed or affected in any manner by the

To protect trade and commerce against interference by violence, threats, _ coercion, or intimidation.

[Public, No. 376.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term and commerce against trade or commerce, as used herein, is defined to mean trade or interference by violence against the commerce agains commerce between any States, with foreign nations, in the District "Trade or of Columbia, in any Territory of the United States, between any merce" defined. such Territory or the District of Columbia and any State or other Territory, and all other trade or commerce over which the United States has constitutional jurisdiction.

Protection of trade

Sec. 2. Any person who, in connection with or in relation to any Acts adversely at act in any way or in any degree affecting trade or commerce or any merce specified. article or commodity moving or about to move in trade or com-

(a) Obtains or attempts to obtain, by the use of or attempt to use or threat to use force, violence, or coercion, the payment of money or other valuable considerations, or the purchase or rental of property or protective services, not including, however, the payment of wages by a bona-fide employer to a bona-fide employee; or

(b) Obtains the property of another, with his consent, induced by wrongful use of force or fear, or under color of official right; or

(c) Commits or threatens to commit an act of physical violence or physical injury to a person or property in furtherance of a plan or purpose to violate sections (a) or (b); or

(d) Conspires or acts concertedly with any other person or persons to commit any of the foregoing acts; shall, upon conviction thereof, be guilty of a felony and shall be punished by imprisonment from one to ten years or by a fine of \$10,000, or both.

SEC. 3. (a) As used in this Act the term "wrongful" means in violation of the criminal laws of the United States or of any State or Territory.

(b) The terms "property", "money", or "valuable considerations" used herein shall not be deemed to include wages paid by a bona-fide employer to a bona-fide employee.

Sec. 4. Prosecutions under this Act shall be commenced only upon the express direction of the Attorney General of the United States.

Sec. 5. If any provisions of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 6. Any person charged with violating this Act may be prosecuted in any district in which any part of the offense has been committed by him or by his actual associates participating with him in the offense or by his fellow conspirators: Provided, That no court of the United States shall construe or apply any of the provisions of this Act in such manner as to impair, diminish, or in any manner affect the rights of bona-fide labor organizations in lawfully carrying out the legitimate objects thereof, as such rights are expressed in existing statutes of the United States.

Approved, June 18, 1934.

[CHAPTER 570.]

AN ACT

June 18, 1934. [S. 3147.] [Public, No. 377.]

To amend the Act approved June 28, 1932 (47 Stat.L. 337).

Be it enacted by the Senate and House of Representatives of the Chippewa Indians of Minnesota.

Contracts with certain attorneys extended.

Contracts with certain approved June 28, 1932 (47 Stat.L. 337), be, and the same is hereby, amended by striking out in the eighth first three? Vol. 47, p 337, and substituting therefor the word "five".

Approved, June 18, 1934.

[CHAPTER 571.]

AN ACT

June 18, 1934. [S. 3151.] [Public, No. 378.]

ed. Vol.

To convey to the King Hill Irrigation District, State of Idaho, all the interest of the United States in the King Hill Federal Reclamation Project, and for other purposes.

Be it enacted by the Senate and House of Representatives of the King Hill Irrigation District, Idaho.
Certain agreements between United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to enter into a contract with King Hill Irrigation District, organized under the laws of the State of Idaho, by which said district and the United States shall

"Wrongful" defined.

"Property", etc., not to include wages.

Initiating prosecutions

Separability provi-

Jurisdiction.

Provise.
Rights of bona fide labor bodies.

rescind the agreements between them of March 2, 1926, November 14, 1923, January 11, 1922, June 17, 1920, and December 17, 1917, each party in such rescissory agreement to release the other from Mutual release of all obligations, accrued or to accrue, under the said five agreements, and the United States as a part of said rescissory agreement to quitclaim to the said district all the right, title, interest and estate Conveyance of U.S. interest to reclamation of the United States in or to said King Hill Reclamation project, project. including the water rights thereof and any real estate acquired or held by the United States in connection therewith.

Approved, June 18, 1934.

[CHAPTER 572.]

AN ACT

Creating the Florence Bridge Commission and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Missouri River at or near Florence, Nebraska. June 18, 1934. [S. 3230.] [Public, No. 379.]

Be it enacted by the Senate and House of Representatives of the promote interstate commerce, improve the postal service, and pro-Bridge Board of Trus-vide for military and other purposes, Charles J. Andersen, John A. Kuhn, and Henry Rief. all as trustees on their are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Florence, Douglas County, Nebraska, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act; said trustees shall own and hold said bridge in trust for Douglas County, Nebraska, and Pottawattamie County, Iowa; said trustees being known as and functioning as the "Florence Bridge Board of Trustees" and serving without compensation. Said board of trustees is hereby granted the right to assign, transfer, and mortgage all of the rights, powers, and privileges conferred by this Act.

Construction. Vol. 34, p. 84.

Sec. 2. There is hereby conferred upon said board of trustees such rights and powers to enter upon lands and to acquire, condemn, proaches, etc. occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property

Condemnation pro-

Tolls. Vol. 34, p. 85.

for public purposes in such State.

Sec. 3. The said board of trustees is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of Rates to be adjusted such bridge the same shall be so adjusted as to provide a fund suftion, sinking fund, etc. ficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall

Maintenance, as free bridge after amortizing

Record of expenditures and receipts.

have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 5. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 18, 1934.

[CHAPTER 573.]

AN ACT

June 18, 1934. [S. 3443.] [Public, No. 380.]

To provide for the creation of the Pioneer National Monument in the State of Kentucky, and for other purposes.

Promer Monument, Ky.

Whereas no provision has been made to preserve some of the great shrines of pioneer history that played their part in the drama of the American Revolution, both in resistance to the efforts of the control of t British and their Indian allies to wipe out the American colonists west of the Alleghenies and thus close in on the colonists along the Atlantic seaboard and in waging a counteroffensive that resulted in the conquest and acquisition of the Old Northwest; and Whereas four of these shrines in Kentucky represent in continuity a counterpart of the American Revolution east of the Alleghenies, to wit: (1) Boonesborough, where the first fort "in the West" was erected, the first highway to "the West, the Wilderness Road", terminated, the first colonization was effected, and the first legislature met; (2) Boones Station, whence Daniel Boone, as lieutenant colonel of the Fayette County Militia, rushed troops to the assistance of various other besieged stations as well as joined in the retaliatory campaigns under General George Rogers Clark into the Old Northwest, and where he buried his son and nephew, who fell at the Battle of Blue Licks; (3) Bryans Station, where the women of the fort sallied forth under the rifles of some six hundred Indians to procure water for the besieged pioneers on August 18, 1782, contributing in large measure to the successful defense of the fort; and (4) Blue Licks Battlefield, scene of the accredited "Last Battle of the Revolution", August 19, 1782, which aroused all of the western colonists to unitedly launch a devastating campaign into the Ohio country, under the leadership of General George Rogers Clark, that effectually stopped further invasion of Kentucky by the British and Indians and was the forerunner of the final conquest of the entire Northwest Territory for the United States: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title Designated lands to to the sites of Fort Boonesborough, Boones Station, Bryans Station, title vested in United and Blue Licks Battlefield, in the State of Kentucky, comprising states. noncontiguous tracts to be united by a Memorial Highway, together with such historical structures and remains thereon, as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes and for the proper commemoration of the valor and sacrifices of the pioneers of "the West", shall have been vested in the United States, said areas and improvements shall be designated and set apart by proclamation of the President for

preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Pioneer National Monument".

SEC. 2. That the Secretary of the Interior be, and he is hereby, Acceptance of donaauthorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: Provided, That he may acquire on Provided. Purchase of tracts behalf of the United States out of any donated funds, by purchase from funds donated. at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion

SEC. 3. That the administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended.

Approved, June 18, 1934.

[CHAPTER 574.]

AN ACT

To authorize production credit associations to make loans to oyster planters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the approval of the Governor of the Farm Credit Administration Production credit as and under rules and regulations to be prescribed by the Production sociations authorized to make, under regulations or credit as consistency or con Credit Commissioner, production credit associations organized under tions the Farm Credit Act of 1933 are authorized to make loans to oyster planters who are carrying on their operations under leases of oyster beds granted by any State or political subdivision thereof; to sell, discount, assign, or otherwise dispose of any loans made by them under the provisions of this Act; and to do any and all other things necessary to carry these provisions into effect. With the approval credit banks may discount, etc., such loans. and regulations to be prescribed by the Intermediate Credit Commissioner, the Federal intermediate credit banks are authorized and empowered to discount for or purchase from any production credit association any note, draft, or other such obligation representing a vances, etc. loan or loans made under the provisions of this Act; and to make loans or advances direct to any such organization secured by such obligations.

Approved, June 18, 1934.

[CHAPTER 575.]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Clair River at or near Port Huron, Michigan.

Be it enacted by the Senate and House of Representatives of the for commencing and completing the construction of a bridge across the Saint Clair River at or near Port Huron, Michigan, authorized Huron, Mich.

Saint Clair River.

Time extended for bridging, at Port to be built by the Great Lakes Bridge Commission. Congress approved June 25, 1930, heretofore extended by Acts of

Administration. Vol. 39, p. 535.

[Public, No. 381.]

Loans to .1nte, p 250

To make direct ad-

June 18, 1934. [S. 3545.] [Public, No. 382.]

73d CONGRESS. SESS. II. CHS. 575, 576. JUNE 18, 1934.

Congress approved February 28, 1931, June 9, 1932, and June 13, 1933, are hereby extended one and three years, respectively, from June 13, 1934.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

[CHAPTER 576.]

AN ACT

June 18, 1934. [S. 3645.] [Public, No. 383.]

Amendment.

To conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes.

Indian affairs. Future allotment in severalty prohibited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no land of any Indian reservation, created or set apart by treaty or agreement with the Indians, Act of Congress, Executive order, purchase, or otherwise, shall be allotted in severalty to any Indian.

Existing trust periods extended.

Sec. 2. The existing periods of trust placed upon any Indian

Restoration of lands to tribal ownership.

lands and any restriction on alienation thereof are hereby extended

and continued until otherwise directed by Congress.

SEC. 3. The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal owner-

Provisos.
Existing valid rights not affected.

ship the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the publicland laws of the United States: Provided, however, That valid rights or claims of any persons to any lands so withdrawn existing on the date of the withdrawal shall not be affected by this Act: Provided

Lands in reclamation further, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation: Pro-Order temporarily vided further, That the order of the Department of the Interior signed, withdrawing Papago Reservation lands dated, and approved by Honorable Ray Lyman Wilbur, as Secretary

mineral from etc., revoked.

entry, of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: Provided further, That damages shall be paid to the Papago Tribe

Resulting damages to be paid tribe; limita-

for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior Annual rental to be but not to exceed the cost of said improvements: Provided further, That a yearly rental not to exceed five cents per acre shall be paid

to the Papago Tribe for loss of the use or occupancy of any land

mining laws of the United States, he or they shall first deposit in the Treasury of the United States to the credit of the Papago Tribe the sum of \$1.00 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss or occupancy of the lands withdrawn by the requirements of mining operations: Provided further,

withdrawn by the requirements of mining operations, and payments derived from damages or rentals shall be deposited in the Treasury of the United States to the credit of the Papago Tribe: Provided Applicant for min-eral patent must first make deposit of rent. further, That in the event any person or persons, partnership, corporation, or association, desires a mineral patent, according to the

That patentee shall also pay into the Treasury of the United States to the credit of the Papago Tribe damages for the loss of improved ages, for loss of improved ages, for loss of improved and provements. the Secretary of the Interior, but not to exceed the cost thereof; the payment of \$1.00 per acre for surface use to be refunded to a patentee in the event that patent is not acquired.

Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the Rights of way, etc., not restricted. lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Ari-

zona or the Act of February 21, 1931 (46 Stat. 1202).

Sec. 4. Except as herein provided, no sale, devise, gift, exchange No transfers of restricted Indian lands or of shares in the assets etc.; exception. of any Indian tribe or corporation organized hereunder, shall be made or approved: Provided, however, That such lands or interests hands may descend may, with the approval of the Secretary of the Interior, be sold, only to Indian tribe or successor corporation. devised, or otherwise transferred to the Indian tribe in which the lands or shares are located or from which the shares were derived or to a successor corporation; and in all instances such lands or ing to applicable laws.

Descent, etc., according to applicable laws. existing laws of the State, or Federal laws where applicable, in which said lands are located or in which the subject matter of the corporation is located, to any member of such tribe or of such corporation or any heirs of such member: Provided further, That the Voluntary exchanges Secretary of the Interior may authorize voluntary exchanges of tions. Voluntary exchanges of the Interior may authorize voluntary exchanges of equal value and the voluntary exchange of shares of equal value whenever such exchange, in his judgment, is expedient and beneficial for or compatible with the proper consolidation of Indian lands and for the benefit of cooperative organizations.

SEC. 5. The Secretary of the Interior is hereby authorized, in his Acquisitions, for prodiscretion, to acquire through purchase, relinquishment, gift, dians. exchange, or assignment, any interest in lands, water rights or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments whether the allottee be living or deceased, for the purpose of providing land for Indians.

For the acquisition of such lands, interests in lands, water rights, thorized. and surface rights, and for expenses incident to such acquisition, there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, a sum not to exceed \$2,000,000 in any one fiscal year: *Provided*, That no part of such \$2,000,000 in any one fiscal year: Provided, That no part of such funds shall be used to acquire additional land outside of the exterior side boundary lines of boundaries of Navajo Indian Reservation for the Navajo Indian in Navajo reservation. boundaries of Navajo Indian Reservation for the Navajo Indians in Arizona and New Mexico, in the event that the proposed Navajo boundary extension measures now pending in Congress and embodied in the bills (S. 2499 and H.R. 8927) to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes, and the bills (S. 2531 and H.R. 8982) to define the exterior boundaries of the Navajo Indian Reservation in New Mexico and for other purposes, or similar legislation, become law.

The unexpended balances of any appropriations made pursuant to until expended.

this section shall remain available until expended.

this section shall remain available until expended.

Title to any lands or rights acquired pursuant to this Act shall be United States in trust taken in the name of the United States in trust for the Indian tribe taxation. or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation,

Refund, if not ac-

Vol. 46, p. 1202

Ante, p. 960.

Indian forestry units Regulations govern-

New Indian reserva-tions on lands acquired by proclamation.

Proviso.
Additions, for exclusive use of Indians.

Holdings for home-steads outside of res-ervations.

Sum for defraying ex-penses of tribal organi-zation herein created.

Establishment of re-volving fund, to make loans for economic de-velopment.

Repayments to be credited to revolving

Report to Congress.

Vocational and trade school.

Reimbursable.

Standards of health, ability, etc., to be established.

Appointments.

SEC. 6. The Secretary of the Interior is directed to make rules and regulations for the operation and management of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes.

Sec. 7. The Secretary of the Interior is hereby authorized to proclaim new Indian reservations on lands acquired pursuant to any authority conferred by this Act, or to add such lands to existing reservations: *Provided*, That lands added to existing reservations shall be designated for the exclusive use of Indians entitled by enrollment or by tribal membership to residence at such reservations.

Sec. 8. Nothing contained in this Act shall be construed to relate to Indian holdings of allotments or homesteads upon the public domain outside of the geographic boundaries of any Indian reser-

vation now existing or established hereafter.

SEC. 9. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary, but not to exceed \$250,000 in any fiscal year, to be expended at the order of the Secretary of the Interior, in defraying the expenses of organizing Indian chartered corporations or other organizations created under this Act.

Sec. 10. There is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$10,000,000 to be established as a revolving fund from which the Secretary of the Interior, under such rules and regulations as he may prescribe, may make loans to Indian chartered corporations for the purpose of promoting the economic development of such tribes and of their members, and may defray the expenses of Repayment of amounts loaned under administering such loans. this authorization shall be credited to the revolving fund and shall be available for the purposes for which the fund is established. A report shall be made annually to Congress of transactions under this authorization.

Sec. 11. There is hereby authorized to be appropriated, out of any funds in the United States Treasury not otherwise appro-Annual appropria any funds in the United States Treasury not otherwise appro-tion for loans, to pro-vide payment for tuit printed, a sum not to exceed \$250,000 annually, together with any tion, etc. unexpended balances of previous appropriations made pursuant to unexpended balances of previous appropriations made pursuant to this section, for loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools: Provided, That not more than \$50,000 of such sum shall be available for loans to Indian students in high schools and colleges. Such loans shall be reimbursable under rules established by the Commissioner

of Indian Affairs.

SEC. 12. The Secretary of the Interior is directed to establish standards of health, age, character, experience, knowledge, and ability for Indians who may be appointed, without regard to civilservice laws, to the various positions maintained, now or hereafter, by the Indian Office, in the administration of functions or services affecting any Indian tribe. Such qualified Indians shall hereafter have the preference to appointment to vacancies in any such positions.

Provisions dealing with Indian corporations, education, etc., applicable to Alaska.

Designated sections Inapplicable to various tribes.

Sec. 13. The provisions of this Act shall not apply to any of the United States, except that sections 9, 10, 11, 12, and 16, shall apply to the Territory of Alaska: Provided, That Sections 2, 4, 7, 16, 17, and 18 of this Act shall not apply to the following-named Indian tribes. shall not apply to the following-named Indian tribes, the members of

such Indian tribes, together with members of other tribes affiliated with such named tribes located in the State of Oklahoma, as follows: Cheyenne, Arapaho, Apache, Comanche, Kiowa, Caddo, Delaware, Wichita, Osage, Kaw, Otoe, Tonkawa, Pawnee, Ponca, Shawnee, Ottawa, Quapaw, Seneca, Wyandotte, Iowa, Sac and Fox, Kickapoo, Pottawatomi, Cherokee, Chickasaw, Choctaw, Creek, and Seminole. Section 4 of this Act shall not apply to the Indians of the Klamath

Reservation in Oregon.

SEC. 14. The Secretary of the Interior is hereby directed to continue rights with Sioux Inthe allowance of the articles enumerated in section 17 of the Act diaus. Continuation of allowance, etc. 1889 (23 Stat.L. 894), or their commuted cash value lowances, etc. under the Act of June 10, 1896 (29 Stat.L. 334), to all Sioux 29, p. 394; Vol. 25, p. 451. Indians who would be eligible, but for the provisions of this Act, to receive allowances of lands in severalty under section 10 of the to receive allotments of lands in severalty under section 19 of the Act of May 29, 1908 (25 Stat.L. 451), or under any prior Act, and who have the prescribed status of the head of a family or single person over the age of eighteen years, and his approval shall more than one allowbe final and conclusive, claims therefor to be paid as formerly from ance. the permanent appropriation made by said section 17 and carried on the books of the Treasury for this purpose. No person shall receive in his own right more than one allowance of the benefits, and application must be made and approved during the lifetime of the allottee or the right shall lapse. Such benefits shall continue to be paid upon such reservation until such time as the lands available therein for allotment at the time of the passage of this Act would have been exhausted by the award to each person receiving such benefits of an allotment of eighty acres of such land.

SEC. 15. Nothing in this Act shall be construed to impair or No Indian claim or prejudice any claim or suit of any Indian tribe against the United Act. States. It is hereby declared to be the intent of Congress that no expenditures for the benefit of Indians made out of appropriations authorized by this Act shall be considered as offsets in any suit brought to recover upon any claim of such Indians against the

SEC. 16. Any Indian tribe, or tribes, residing on the same reservasame reservation may
tion, shall have the right to organize for its common welfare, and
organize for common
welfare. may adopt an appropriate constitution and bylaws, which shall become effective when ratified by a majority vote of the adult members of the tribe, or of the adult Indians residing on such reservation, fied. as the case may be, at a special election authorized and called by the Secretary of the Interior under such rules and regulations as he may prescribe. Such constitution and bylaws when ratified as aforements, etc. said and approved by the Secretary of the Interior shall be revocable by an election open to the same voters and conducted in the same manner as hereinabove provided. Amendments to the constitution and bylaws may be ratified and approved by the Secretary in the same manner as the original constitution and bylaws.

In addition to all powers vested in any Indian tribe or tribal vested in tribe. council by existing law, the constitution adopted by said tribe shall also vest in such tribe or its tribal council the following rights and powers: To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior; to prevent the sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets without the consent of the tribe; and to negotiate with the Federal, State, and local Governments. The Secretary of the Interior shall advise such tribe or its tribe of contemplated tribal council of all appropriation estimates or Federal projects for appropriation estimates. the benefit of the tribe prior to the submission of such estimates to the Bureau of the Budget and the Congress.

Indians residing on

Revocation, amend-

Ratification condition precedent to operation.

Powers conferred.

Revocation.

Inapplicable to reservation rejecting proposition.

Term "Indian" defined.

"Tribe."

"Adult Indians."

Charters. Issue of, to each tribe, Sec. 17. The Secretary of the Interior may, upon petition by at upon petition therefor. least one-third of the adult Indians, issue a charter of incorporation Sec. 17. The Secretary of the Interior may, upon petition by at to such tribe: Provided, That such charter shall not become operative until ratified at a special election by a majority vote of the adult Indians living on the reservation. Such charter may convey to the incorporated tribe the power to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange therefor interests in corporate property, and such further powers as may be incidental to the conduct of corporate business, not inconsistent with law, but no authority shall be granted to sell, mortgage, or lease for a period exceeding ten years any of the land included in the limits of the reservation. Any charter so issued shall not be revoked or surrendered except by Act of Congress.

SEC. 18. This Act shall not apply to any reservation wherein a majority of the adult Indians, voting at a special election duly called by the Secretary of the Interior, shall vote against its application. It shall be the duty of the Secretary of the Interior, within one year after the passage and approval of this Act, to call such an election, which election shall be held by secret ballot upon thirty days' notice.

Sec. 19. The term "Indian" as used in this Act shall include all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood. For the purposes of this Act, Eskimos and other aboriginal peoples of Alaska shall be considered Indians. The term "tribe" wherever used in this Act shall be construed to refer to any Indian tribe, organized band, pueblo, or the Indians residing on one reservation. The words "adult Indians" wherever used in this Act shall be construed to refer to Indians who have attained the age of twenty-

Approved, June 18, 1934.

[CHAPTER 577.]

AN ACT

June 18, 1934. [S. 3742.] [Public, No. 384.]

Granting the consent of Congress to the State Board of Public Works of the State of Vermont to construct, maintain, and operate a toll bridge across Lake Champlain at or near West Swanton, Vermont.

Lake Champlain. Vermont may bridge, at West Swanton.

Construction. Vol. 34, p. 84.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Board of Public Works of the State of Vermont to construct, maintain, and operate a bridge and approaches thereto across Lake Champlain, at a point suitable to the interests of navigation, between a point at or near East Alburg, Vermont, and a point at or near West Swanton, Vermont, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Toll rates to be adjusted to provide cost of operation and sinking fund.

SEC. 2. If tolls are charged for the use of such bridge, the rates of tolls may be so adjusted as to provide a fund sufficient to pay (a) the reasonable cost of maintenance, repair, and operation of the said bridge and its approaches, and (b) the amortization within a reasonable time, and not exceeding twenty-five years from the date that the bridge is opened to traffic, and under reasonable condition, of any loan or loans, including reasonable interest, taxes, and financing charges made or to be made in connection with the con-

struction of said bridge and its approaches.

SEC. 3. An accurate record of the cost of the bridge and its Record of expendiapproaches, and of all the expenditures for maintaining, repairing, and operating the same, and of the tolls collected from time to time. shall be kept and shall at all reasonable times be available for the information of all persons interested in the construction, operation,

and maintenance thereof.

SEC. 4. The right to sell, assign, transfer, mortgage, or pledge any or all of the rights, powers, and privileges conferred by this Act is hereby granted to the said State Board of Public Works of the State of Vermont or any corporation to which, or any person to whom, such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same through mortgage, pledge, foreclosure, or otherwise, including therein the United States of America acting by or through the President, the Federal Emergency Administrator of Public Works, such other agency or agencies as may be designated or created for such purpose pursuant to the National Industrial Recovery Act or any other amendment or supplement thereto, or any other agency or agencies as may be created for such purpose by the Congress of the United States, and such person or corporation is hereby authorized and empowered to exercise all of the rights, powers, and privileges conferred upon the State Board of Public Works of the State of Vermont as fully as though conferred herein directly upon such corporation or person.

SEC. 5. Whenever a sum sufficient to amortize and pay off the bridge after amortizing amount of money used in building and constructing said bridge costs.

Maintenance as free bridge after amortizing amount of money used in building and constructing said bridge costs. State of Vermont shall declare said bridge free and open to the use of the general public without the imposition of any further tolls

or charges for the use of said bridge.

Sec. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

[CHAPTER 578.]

AN ACT

To enable the Postmaster General to withhold commissions on false returns made by postmasters.

June 18, 1934. [S. 3765.] [Public, No. 385.]

Be it enacted by the Senate and House of Representatives of the of the Act of June 17, 1878 (20 Stat. 141), which comprises section p. 1237.

Postal service. Vol. 20, p. 141; U.S.C. 45 of title 39, United States Code is berely according to the comprise section p. 1237. follows:

a postmaster has made a false return of business, or that a post-sions, based on false returns of business on that a post-sions, based on false returns of business. tion of the Postmaster General to withhold commissions on such returns and to allow any compensation that under the circumstances he may deem reasonable or proper. The form of affidavit to be Form of affidavit to made by postmostors when their returns shall be such as The prescribed. made by postmasters upon their returns shall be such as may be prescribed by the Postmaster General."

Approved, June 18, 1934.

Ante. p. 200.

Amendment,

[CHAPTER 579.]

AN ACT

June 18, 1934. [S. 3766.] [Public, No. 386.]

To amend the Act entitled "An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty", approved March 17, 1882, as amended.

Postal service. Vol. 22, p. 29; Vol. 38, p. 279; Vol. 44, p. 903. U.S.C., p. 1237; supp. VII, p. 871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty", approved March 17, 1882 (22 Stat. 29), as amended (U.S.C., Supp. VII, title 39, sec. 49), be, and it is hereby, amended to read as follows:

Adjustment of claims of postmasters and Navy mail clerks for losses by burglary, fire,

"The Postmaster General may investigate all claims of post-masters, Navy mail clerks, and assistant Navy mail clerks for the loss of money-order funds, postal funds, postal-savings funds, postage stamps, stamped envelops, newspaper wrappers, postal cards,

Internal revenue and Federal migratory bird hunting stamps added.

ernment thrift stamps, war-tax revenue stamps, internal-revenue stamps, Federal migratory bird hunting stamps, and funds received from the sale of such stamps belonging to the United States in the hands of such postmasters, Navy mail clerks, or assistant Navy mail

Losses by bank fail-ure since April 1, 1924.

postal-savings cards, postal-savings stamps, postal-savings certificates, United States war-savings certificate stamps, United States Govclerks, and for the loss of key-deposit funds, funds deposited to cover postage on mailings, and funds received as deposits to cover orders for stamped envelops, in the hands of such postmasters, Navy mail clerks, or assistant Navy mail clerks, and for losses of customs charges collected on dutiable mail articles occurring after April 1, 1924, resulting from burglary, fire, or other unavoidable casualty, and for the loss occurring after April 1, 1924, by bank failure of any such funds deposited in National or State banks, and if he shall determine that such loss resulted from no fault or negligence on the part of such postmasters, Navy mail clerks, or assistant Navy mail clerks, may pay to such postmasters, Navy mail clerks, or assistant Navy mail clerks, or credit them with the amount so ascertained to have been lost or destroyed, and may also credit postmasters, Navy mail clerks, or assistant Navy mail clerks with the amount of any remittance of money-order funds, postal funds, postal-savings funds, funds received from the sale of United States war-savings certificate stamps, United States Government thrift stamps, war-tax revenue stamps, Federal migratory bird hunting stamps, and internal-revenue. nue stamps, or other public funds, made by them in compliance with the instructions of the Postmaster General, which shall have been lost or stolen while in transit by mail from the office of the remitting postmaster, Navy mail clerk, or assistant Navy mail clerk to the office designated as his depository, or after arrival at such depository office and before the postmaster at such depository office has become responsible therefor, or to the postmaster at any other post office, or to the proper customs officer in the case of customs charges collected, and authorized shipments of postage and other stamp stock lost while in transit by mail from one postmaster, Navy mail clerk, or assistant Navy mail clerk to another postmaster, Navy mail clerk, or assistant Navy mail clerk, or to or from the Post Office Department, and such funds remitted after April 1, 1924, in compliance with instructions of the Postmaster General in the form of drafts or checks which have been returned unpaid or dishonored by reason of the closing of the banks issuing such drafts or checks:

Provided, That in all cases of bank failure the postmaster shall first In case of bank failfile with the receiver of the insolvent bank a claim for the full ure, claim to be filed amount of the funds involved and assign such claim to the Postwith receiver. master General, who shall receive all dividends accruing in any such

Approved, June 18, 1934.

[CHAPTER 580.]

AN ACT

To amend section 4 of "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved June 7, 1934.

June 18, 1934. [S. 3779.] [Public, No. 387.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 (a) Bankruptcy Act (7) of the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United including future rents States', approved July 1, 1898, and Acts amendatory thereof and supplemental thereto', approved June 7, 1934, is hereby amended by adding at the end of said clause (7) after the words "Provided further, That the provisions of this clause (7) shall apply to estates edin operation to those pending at the time of the enactment of this amendatory Act, where time for filing has the words, in which the time for filing such also may be not expired. the words " in which the time for filing such claims has not expired." Approved, June 18, 1934.

[CHAPTER 581.]

AN ACT

Authorizing the control of floods in the Salmon River, Alaska.

June 18, 1934. [H.R 5665.] [Public, No. 388.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project Salmon River, of prevention and control of floods in the Salmon River, Alaska, project. recommended in the report of the Chief of Engineers, United States Army, in House Document Numbered 228, Seventy-second Congress, is hereby adopted and authorized and shall be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plan recommended in such report and subject to the conditions set forth therein.

control

Approved, June 18, 1934.

[CHAPTER 582.]

AN ACT

Authorizing the city of Atchison, Kansas, and the county of Buchanan, Missouri, or either of them, or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally, to construct, maintain, and operate a free highway bridge across the Missouri River at or near Atchison, Kansas.

June 18, 1934. [H.R. 6898.] [Public, No. 389.]

Be it enacted by the Senate and House of Representatives of the facilitate interstate commerce, improve the postal service, and prowide for military and other purposes, the city of Atchison Kans, etc., and the county of Buchanan, Missouri, or either of them, or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally, be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near the city of Atchison. Kansas, in accordance with the provisions of an Act

Construction. Vol. 34, p. 84

73d CONGRESS. SESS. II. CHS. 582-584. JUNE 18, 1934.

Acquisition of real estate for location, approaches, etc.

entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Src. 2. There is hereby conferred upon the city of Atchison, Kansas, and the county of Buchanan, Missouri, or either of them, or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally, all such rights and powers to enter upon such lands and to acquire, Condemnation pro- condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate and other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or

expropriation of property for public purposes in such State.

Sec. 3. The right to alter, amend, or repeal this Act is hereby

expressly reserved.

Approved, June 18, 1934.

Amendment.

[CHAPTER 583.]

AN ACT

June 18, 1934. [H.R. 7212.] To remove the limitation upon the extension of star routes. [Public, No. 390.]

vice. Vol. 36, p. 1339. U.S.C., p. 1263.

Be it enacted by the Senate and House of Representatives of the Star routes, postal United States of America in Congress assembled, That the last paraarvice.
Vol. 36, p. 1339. graph of section 1 of the Act entitled "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes", approved March 4, 1911 (36 Stat. 1327; U.S.C., title 39, sec. 442), is amended to read as follows:

"The Postmaster General may, in cases where the mail service

Limitation on exten-

would be thereby improved, extend service on a mail route under contract, at not exceeding fifty miles and at not exceeding pro rata additional pay: *Provided*, That such extension shall not exceed 50 miles of traveled service route.

Protiso. Maximum extension.

Approved, June 18, 1934.

[CHAPTER 584.]

AN ACT

June 18, 1934. [H.R. 7301] [Public, No. 391.]

To authorize the Postmaster General to charge an additional fee for effecting delivery of domestic registered, insured, or collect-on-delivery mail, the delivery of which is restricted to the addressee only, or to the addressee or order.

Postal Service Domestic registered, insured, etc., mail.
Additional fee for delivery authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General, under such regulations as he may prescribe, is authorized to collect an additional fee of 10 cents for effecting the delivery by carrier or otherwise of domestic registered, insured, or Proviso.
Refund of fees reduced with the delivery of which is restricted to the addressee only, or to the addressee or order: Provided, That no refund shall be made of fees paid for this service unless request for refund is made and erroneous delivery of the article or articles was made by the Postal Service or nondelivery of the article or

articles was due to some fault of the Postal Service.

stricted

Approved, June 18, 1934.

[CHAPTER 585.]

AN ACT

Making receivers appointed by any United States courts and authorized to conduct any business, or conducting any business, subject to taxes levied by the State the same as if such business were conducted by private individuals or corporations.

June 18, 1934 [H.R. 8644.] [Public, No. 392.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any receiver, liquidator, referee, trustee, or other officers or agents appointed by any United States court who is authorized by said court to conduct and local taxes.

Receivers, etc., in Receivers, etc., in Rederal courts.

Business conducted under, subject to State and local taxes. any business, or who does conduct any business, shall, from and after the enactment of this Act, be subject to all State and local taxes applicable to such business the same as if such business were conducted by an individual or corporation: Provided, however, That Collecting such taxes nothing in this Act contained shall be construed to prohibit or according prior to date prejudice the collection of any such taxes which accrued prior to the approval of this Act, in the event that the United States court having final jurisdiction of the subject matter under existing law should adjudge and decide that the imposition of such taxes was a valid exercise of the taxing power by the State or States, or by the civil subdivisions of the State or States imposing the same.

Approved, June 18, 1934.

[CHAPTER 586.]

AN ACT

To increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and to amend the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, and for other purposes.

June 18, 1934. [H.R. 8781.] [Public, No. 393.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purtion of public high-pose of increasing employment by providing for emergency conways, etc. Appropriation austruction of public highways and other related projects there is thorized. Appropriated out of any money in the Post, p. 1057. hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000,000, which shall be apportioned by the Secretary of Agriculture immediately upon the passage of this Act under the provisions of section 204 of states. the National Industrial Recovery Act, approved June 16, 1933 (in addition to any sums benefit and the section 204 of states. addition to any sums heretofore allocated under such section), in making grants under said section to the several States to be expended by their highway departments pursuant to the provisions of such section, and to remain available until expended: Provided, That the Secretary of Agriculture shall act upon projects submitted to tary of Agriculture; him under his apportionment of this authorization, and his approved. him under his apportionment of this authorization, and his approval of any such project shall be deemed a contractual obligation of the Federal Government for the payment of its proportional contribu-tion thereto: Provided further, That not less than 25 per centum Amount for secondary and feeder roads of the apportionment to any State shall be applied to secondary or feeder roads, including farm to market roads, rural free delivery mail roads, and public-school bus routes, except that the Secretary of Agriculture, upon request and satisfactory showing from the highway department of any State, may fix a less percentage of the apportionment of such State for expenditure on secondary or feeder roads: And provided further, That any funds allocated under the traffic facilities, etc. provisions of section 204 (a) (2) of such Act shall also be available for the cost of any construction that will provide safer traffic facilities or definitely eliminate existing hazards to pedestrian or vehicular traffic.

Apportionment Ante, p. 203.

Expenditure

Provisos

safer

86637°-34---63

forests, etc.

Executive Order No.

Special relief fund for repairing flood, earth-quake, etc., damages.

Aid in rural post-road construction. Vol. 39, p. 356.

Availability; reap-portionment of balance among States. Vol. 42, p. 217.

pended.

Cooperative road construction through public lands, Federal reservations, etc.

Maintenance of main roads.

Roads through Government lands.

Sums authorized for gency construction of public highways and other related projects, bridges in national there is hereby also authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$24,000,000 for allotment under the provisions of section 205 (a) of the National Industrial Recovery Act, approved June 16, 1933 (in addition to any sums heretofore allotted under such section), to be expended for the survey, construction, reconstruction, and maintenance of highways, roads, trails, bridges, and related projects in national parks and monuments (including areas transferred to the National Park Service for administration by Executive order dated June 10, 1933) pational forests. Indian reservations, and public lands, pur 1933), national forests, Indian reservations, and public lands, pursuant to the provisions of such section, and to remain available until expended.

Sec. 3. Not to exceed \$10,000,000 of any money heretofore, herein, or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act shall be available for expenditure by the Secretary of Agriculture, in accordance with the provisions of the Federal Highway Act, as an emergency relief fund, after receipt of an application therefor from the highway department of any State, in the repair or reconstruction of highways and bridges on the system of Federal-aid highways, which he finds, after investigation, have been damaged or destroyed by floods, hurricanes, earthquakes, or landslides, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under the authority of this section.

Sec. 4. For the purpose of carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, and all Acts amendatory thereof and supplementary thereto, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, the following sums, to be expended according to the provisions of such Act as amended: The sum of \$125,000,000 for the fiscal year ending June 30, 1936; and the sum of \$125,000,000 for the fiscal year ending June 30, 1937.

All sums authorized in this section and apportioned to the States shall be available for expenditure for one year after the close of the fiscal year for which said sums, respectively, are authorized, and any sum remaining unexpended at the end of the period during which it is available for expenditure shall be reapportioned among the States as provided in section 21 of the Federal Highway Act.

Sec. 5. For the purpose of carrying out the provisions of section

Forest highways, etc. Sec. 5. For the purpose of carrying out the provisions of section vol. 42, p. 218.

Available until ex. 23 of the Federal Highway Act, approved November 9, 1921, there is hereby authorized to be appropriated for forest highways, roads, and trails, the following sums, to be available until expended in accordance with the provisions of said section 23: The sum of \$10,000,000 for the fiscal year ending June 30, 1936; the sum of \$10,000,000 for the fiscal year ending June 30, 1937.

Sec. 6. For the purpose of carrying out the provisions of section 3 of the Federal Highway Act, approved November 9, 1921, as amended June 24, 1930 (46 Stat. 805), there is hereby authorized to be appropriated for the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, the sum of \$2,500,000 for the fiscal year ending June 30, 1936, and the sum of \$2,500,000 for the fiscal year ending June 30, 1937, to remain available until expended.

SEC. 7. For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, etc. vol. 46, p. 1053 parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, there is hereby authorized to be appropriated the sum of \$7,500,000 for the fiscal year ending June 30, 1936, and the sum of \$7,500,000 for the fiscal year ending June 30, 1937.

Sec. 8. For construction and improvement of Indian reservation

SEC. 8. For construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 in, not eligible, under Stat. 750), there is hereby authorized to be appropriated the sum of \$4,000,000 for the feed appropriated the sum of \$4,000 for the feed appropriated the sum of \$4,000 for the feed appropriated the sum of \$4,000 for of \$4,000,000 for the fiscal year ending June 30, 1936, and the sum

of \$4,000,000 for the fiscal year ending June 30, 1937.

SEC. 9. The term "highway" as defined in the Federal Highway Act, approved November 9, 1921, as amended and supplemented, shall for the period covered by this Act be deemed to include such main parkways as may be designated by the State and approved by the Secretary of Agriculture as part of the Federal-aid highway

SEC. 10. Section 19 of the Federal Highway Act, approved Novem-

ber 9, 1921, is hereby amended to read as follows:

"Sec. 19. That on or before the first Monday in January of each year the Secretary of Agriculture shall make a report to Congress, tary. which shall include a detailed statement of the work done, the status of each project undertaken, the allocation of appropriations, an itemized statement of the expenditures and receipts during the preceding fiscal year under this Act, and itemized statement of the traveling and other expenses, including a list of employees, their duties, salaries, and traveling expenses, if any, and his recommendations, if any, for new legislation amending or supplementing this Act. The Secretary of Agriculture shall also make such special reports as Congress may request."

Sec. 11. With the approval of the Secretary of Agriculture, not to exceed 1½ per centum of the amount apportioned for any year tions.

to any State under sections 1 and 4 of this Act may be used for surveys, plans, and engineering investigations of projects for future construction in such State, either on the Federal-aid highway system

and extensions thereof or on secondary or feeder roads.

Sec. 12. Since it is unfair and unjust to tax motor-vehicle transportation unless the proceeds of such taxation are applied to the from highway mainteconstruction improvement or maintenance of highways after Iune construction, improvement, or maintenance of highways, after June 30, 1935, Federal aid for highway construction shall be extended only to those States that use at least the amounts now provided by law for such purposes in each State from State motor vehicle registration fees, licenses, gasoline taxes, and other special taxes on motorvehicle owners and operators of all kinds for the construction, improvement, and maintenance of highways and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged, and for no other purposes, under such regulations as the Secretary of Agricase shall the provisions of this section operate to deprive any State of more than one-third of the amount to which that State would be entitled under any apportionment hereafter made for the control of the section operate to deprive any State operated of more than one-third its allocation thereby. for which the apportionment is made.

Sec. 13. The limitations in the Federal Highway Act, approved eral Highway Act as November 9, 1921, as amended and supplemented, upon highway highway and bric construction, reconstruction, and bridges within municipalities and apply herein.

"Highway" defined. Vol. 42, p. 212.

Vol. 42, p. 216.

Annual detailed statements from Secre-

Special reports.

Retirement of bonds.

Limitations in Fed-

upon payments per mile which may be made from Federal funds.

tion, in surveys as to feasibility of building, etc. Vol. 45, p. 1697. Post, p. 1042.

Vol. 42, p. 217. U.S.C., p. 667.

Inconsistent laws re-

shall hereafter not apply.

Shall nereated.

SEC. 14. No deductions shall hereatter be incompleted and Construction Act, advances and/or loans to the States for the construction of roads advances and/or loans to the Federal Highway Act or on account under the requirements of the Federal Highway Act or on account of amounts paid under the provisions of title I of the Emergency Relief and Construction Act of 1932 for furnishing relief and work relief to needy and distressed people.

Continuing coopera- naissance surveys for a proposed inter-American highway as provided in Public Resolution Numbered 104, approved March 4, 1929 (45 Stat. 1697), and for making location surveys, plans, and estimates for such highway, the Secretary of Agriculture is hereby authorized to expend not more than \$75,000 to pay all costs hereafter incurred for such work from any moneys available from the administrative funds provided under the Act of July 11, 1916

(U.S.C., title 23, sec. 21), as amended, or as otherwise provided.

Sec. 16. Acts or parts of Acts in any way inconsistent with the provisions of this Act are hereby repealed and this Act shall take effect on its passage.

Approved, June 18, 1934.

[CHAPTER 587.]

AN ACT

To amend section 35 of the Criminal Code of the United States.

June 18, 1934. [H.R. 8912.] [Public, No. 394.]

Be it enacted by the Senate and House of Representatives of the Code

Criminal Code amendments.
Vol. 35, pp. 1095, 555.
U.S.C., p. 465.

Presenting false claims to Government or officer thereof.

United States of America in Congress assembled, That section 35 of the Criminal Code of the United States, as amended (U.S.C., title 18, secs. 80, 82, 83, 84, 85, and 86), be, and the same is hereby,

amended to read as follows:

"Sec. 35. Whoever shall make or cause to be made or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, any claim upon or against the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, knowing such claim to be false, fictitious, or fraudulent; or whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device a material fact, or make or cause to be made any false or fraudulent statements or representations, or make or use or cause to be made or used any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry, in any matter within the jurisdiction of any department or agency of the United States or of any corporation in which the United States of America is a stockholder; or whoever shall take and carry away or take for his own use, or for the use of another, with intent to steal or purloin, or shall willfully injure or commit any depredation against, any property of the United States, or any branch or department thereof, or any corporation in which the United States of America is a stockholder, or any property which has been or is being made, manufactured, or constructed under contract for the War or Navy Departments of the United States; or whoever shall enter into any agreement, combination, or conspiracy to defraud the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, by obtaining or aiding to obtain the pay-

Willful damage, or depredation against Government, etc., property.

ment or allowance of any false or fraudulent claim; and whoever, having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service, with intent to defraud the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, or willfully to conceal such money or other property, shall deliver or cause to be delivered to any person having authority to receive the same any amount of such money or other property less than that for which he received a certificate or took a receipt; or whoever, being authorized to make or deliver any certificate, voucher, receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other property so used or to be used, shall make or deliver the same to any other person without a full knowledge of the truth of the facts stated therein and with intent to defraud the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. And whoever shall purchase, or receive in pledge, from any person any arms, equipment, ammunition, clothing, ing arms, etc., from military stores, or other property furnished by the United States, person subject to military at the states of under a clothing allowance or otherwise, to any soldier, sailor, officer, cadet, or midshipman in the military or naval service of the United States or of the National Guard or Naval Militia, or to any person accompanying, serving, or retained with the land or naval forces and subject to military or naval law, having knowledge or reason to believe that the property has been taken from the possession of the United States or furnished by the United States under such allowance, shall be fined not more than \$500 or imprisoned not more than two years, or both."

Approved, June 18, 1934.

[CHAPTER 588.]

AN ACT

To amend section 11 of the District of Columbia Alcoholic Beverage Control Act.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That section 11, paragraph (g), be amended to read as follows:

"(g) Retailer's license, class C.—Such a license shall be issued only for a bona fide restaurant, hotel, or club, or a passenger-carrying marine vessel serving meals, or a club car or a dining car on a railroad. It shall authorize the holder thereof to keep for sale and to sell spirits, wine, and beer at the place therein described for consumption only in said place. Except in the case of clubs, hotels, etc., serving meals. and passenger-carrying marine vessels serving meals in interstate commerce of one hundred miles or more, no beverage shall be sold or served to a customer in any closed container. In the case of restaurants and passenger-carrying marine vessels and club cars or dining cars on a railroad, said spirits and wine, except light wines, shall be sold or served only to persons seated at public tables, and beer and light wines shall be sold and served only to persons seated at public tables or at bona fide lunch counters, except that spirits, wine, and beer may be sold or served to assemblages of more than six individuals in a private room when such room has been previously approved by the Board. In the case of hotels, said beverages may be sold and served only in the private room of a registered guest or to persons seated at public tables or to assemblages of more than six individuals in a private room, when such room has been

Punishment for.

Punishment, for

June 18, 1934. [H.R. 9007.] [Public, No. 395.]

District of Columbia Alcoholic Beverage Control Act amend-Ante, p. 325. Retailer's, Class C.

Passenger vessels, and club or dining cars, in interstate commerce, added.

Restriction on serv-

Fees.

previously approved by the Board. Beer and light wines may also be sold and served to persons seated in bona fide lunch counters. And in the case of clubs, said beverages may be sold and served in the private room of a member or guest of a member, or to persons seated at tables. No license shall be issued to a club which has not been established for at least three months immediately prior to the making

of the application for such license.

"The fee for such a license shall be for a restaurant, \$500 per annum; for a hotel, under one hundred rooms, \$500 per annum; for a hotel of one hundred or more rooms, \$1,000 per annum; for a club, \$250 per annum; for a marine vessel serving meals in interstate commerce of one hundred miles or more and for each railroad dining car or club car, \$2 per month or \$20 per annum; for all other passenger-carrying marine vessels serving meals, \$50 per month or \$500 per annum."

Approved, June 18, 1934.

[CHAPTER 589.]

AN ACT

June 18, 1934. [H.R. 9234.] [Public, No. 396.]

To amend section 601 (c) (2) of the Revenue Act of 1932.

Be it enacted by the Senate and House of Representatives of the Revenue Act of 1932, United States of America in Congress assembled, That section 601 kevenue accamended.
Liquid malt, malt extract, etc., exempt from excise tax when sold for resale to a baker, manufacturer, or producer.
Vol. 47, p. 260. (c) (2) of the Revenue Act of 1932, as amended, is amended by striking out "sold to a baker" and inserting in lieu thereof "sold to, or for resale to, a baker", and by striking out "to a manufacturer or producer" and inserting in lieu thereof "to, or for resale to, a manufacturer or producer".

Approved, June 18, 1934.

[CHAPTER 590.]

AN ACT

June 18, 1934. [H.R. 9322.] [Public, No. 397.]

To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Definitions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in

"Secretary." "Board." Composition of.

The term "Secretary" means the Secretary of Commerce; (a) The term "Secretary" means the Secretary of Commerce;(b) The term "Board" means the Board which is hereby established. lished to carry out the provisions of this Act. The Board shall consist of the Secretary of Commerce, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, and the

Secretary of War;
(c) The term "State" includes any State, the District of Columbia, Alaska, Hawaii, and Puerto Rico;
(d) The term "corporation" means a public corporation and a

private corporation, as defined in this Act;

(e) The term "public corporation" means a State, political subdivision thereof, a municipality, a public agency of a State, political subdivision thereof, or municipality, or a corporate municipal

instrumentality of one or more States;

(f) The term "private corporation" means any corporation (other than a public corporation) which is organized for the purpose of establishing, operating, and maintaining a foreign-trade zone and which is chartered under special Act enacted after the date of enactment of this Act of the State or States within which it is to operate such zone;

"State."

"Corporation."

"Public corporation"

"Private

(g) The term "applicant" means a corporation applying for the

right to establish, operate, and maintain a foreign-trade zone;
(h) The term "grantee" means a corporation to which the privilege of establishing, operating, and maintaining a foreign-trade

zone has been granted;
(i) The term "zone" means a "foreign-trade zone" as provided

in this Act.

ditions and restrictions of this Act and of the rules and regulations ized. Establishment of foreign-trade zones authormade thereunder, upon application as hereine from provided. to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under

the jurisdiction of the United States.

(b) Each port of entry shall be entitled to at least one zone, but when a port of entry is located within the confines of more than one more zones. State such port of entry shall be entitled to a zone in each of such States, and when two cities separated by water are embraced in one port of entry, a zone may be authorized in each of said cities or in territory adjacent thereto. Zones in addition to those to which a port of entry is entitled shall be authorized only if the Board finds that existing or authorized zones will not adequately serve the convenience of commerce.

(c) In granting applications preference shall be given to public service corporations.

corporations.

entry are owned and controlled by the State and in which State harbor facilities of any other port of entry are owned and controlled by a municipality, the Board shall not great an application of any other port of entry are owned and controlled state-owned. public corporation for the establishment of any zone in such State, unless such application has been authorized by an Act of the legis lature of such State (enacted after the date of enactment of this

Act).

Sec. 3. Foreign and domestic merchandise of every description, except such as is prohibited by law, may, without being subject to the customs laws of the United States, except as otherwise provided in this Act, be brought into a zone and may not be manufactured or exhibited in such zone but may be stored, broken up, repacked, laws.

Storing, repacking, repackin assembled, distributed, sorted, graded, cleaned, mixed with foreign etc. or domestic merchandise, or otherwise manipulated, and be exported, and foreign merchandise may be sent into customs territory of the zone to customs terri-United States therefrom, in the original package or otherwise; but tory. when foreign merchandise is so sent from a zone into customs territory of the United States it shall be subject to the laws and regulations of the United States affecting imported merchandise: Provided, Supervision of un-That when the privilege shall be requested the collector of customs lading foreign merchandise; appraisal. shall supervise the unlading of foreign merchandise in the zone, cause such merchandise or any portion thereof to be appraised and the duties liquidated thereon. Thereafter it may be stored or manipulated under the supervision and regulations prescribed by the Secretary of the Treasury, and within two years after such unlading into customs territory such merchandise, whether mixed with domestic merchandise or not, within two years. such merchandise, whether mixed with domestic merchandise or not, may be sent into customs territory upon the payment of such liquidated duties thereon; and if not so sent into customs territory within such period of two years such merchandise shall be disposed of under rules and regulations prescribed by the Secretary of the Treasury and out of the proceeds the duties shall be paid and the remainder, if any, shall be delivered to the owners of the property: Provided further, That subject to such regulations respecting identity and the safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The safeguarding of the revenue as the Secretary of the Tourist The Secretary of the Secre

"Applicant."

"Grantee."

"Zone."

Ports of entry. Entitled to one or

Additional zones.

Foreign and domes-tic merchandise.

Disposal if not sent.

previously paid.

regulations.

Customs officers and guards Assignment.

Vessels entering or leaving a zone, subject to regulations.

Competition by for-eign vessels in Ameri-can coastwise trade.

Application for permits Requirements speci-fied.

deem necessary, articles the growth, product, or manufacture of the United States, and articles previously imported on which duty has or on which duty been paid, or which have been admitted free of duty, may be taken into a zone from the customs territory of the United States, and may be brought back thereto free of duty, whether or not they have been combined with or made part, while in such zone, of other Articles not entitled articles: Provided, That if in the opinion of the Secretary of the noncompliance with Treasury their identity has not been lost such articles not entitled to free entry by reason of noncompliance with the requirements made hereunder by the Secretary of the Treasury shall be treated when they reenter the customs territory of the United States as foreign merchandise under the provisions of the tariff laws in force at that time.

SEC. 4. The Secretary of the Treasury shall assign to the zone the necessary customs officers and guards to protect the revenue and to provide for the admission of foreign merchandise into customs territory.

SEC. 5. Vessels entering or leaving a zone shall be subject to the operation of all the laws of the United States, except as otherwise provided in this Act, and vessels leaving a zone and arriving in customs territory of the United States shall be subject to such regulations to protect the revenue as may be prescribed by the Secretary of the Treasury. Nothing in this Act shall be construed in any manner so as to permit vessels under foreign flags to carry goods or merchandise shipped from one foreign trade zone to another zone or port in the protected coastwise trade of the United States.

SEC. 6. (a) Each application shall state in detail-

(1) The location and qualifications of the area in which it is proposed to establish a zone, showing (A) the land and water or land or water area or land area alone if the application is for its establishment in or adjacent to an interior port; (B) the means of segregation from customs territory; (C) the fitness of the area for a zone; and (D) the possibilities of expansion of the zone area; (2) The facilities and appurtenances which it is proposed to provide and the preliminary plans and estimate of the cost thereof, and

the existing facilities and appurtenances which it is proposed to

utilize;
(3) The time within which the applicant proposes to commence appurtenances:

The methods proposed to finance the undertaking;

(5) Such other information as the Board may require.

(b) The Board may upon its own initiative or upon request permit the amendment of the application. Any expansion of the area of an established zone shall be made and approved in the same

manner as an original application.

SEC. 7. If the Board finds that the proposed plans and location are suitable for the accomplishment of the purpose of a foreign trade

zone under this Act, and that the facilities and appurtenances which it is proposed to provide are sufficient it shall make the grant. Sec. 8. The Board shall prescribe such rules and regulations not inconsistent with the provisions of this Act or the rules and regulations of the Secretary of the Treasury made hereunder and as may

be necessary to carry out this Act.

Sec. 9. The Board shall cooperate with the State, subdivision, and municipality in which the zone is located in the exercise of their police, sanitary, and other powers in and in connection with the free It shall also cooperate with the United States Customs Service, the Post Office Department, the Public Health Service, the

Amendments permitted.

Grant to establish

Rules, etc., to be pre-

Cooperation with local and Federal agencies.

Bureau of Immigration, and such other Federal agencies as have

jurisdiction in ports of entry described in section 2.

SEC. 10. For the purpose of facilitating the investigations of the coord and its work in the granting of the purpose of the pu Board and its work in the granting of the privilege, in the establishment, operation, and maintenance of a zone, the President may direct the executive departments and other establishments of the Government to cooperate with the Board, and for such purpose each of the several departments and establishments is authorized, upon direction of the President, to furnish to the Board such records, papers, and information in their possession as may be required by him, and temporarily to detail to the service of the Board such officers, experts, or engineers as may be necessary.

SEC. 11. If the title to or right of user of any of the property to Agreement for use of Federal property. be included in a zone is in the United States, an agreement to use such property for zone purposes may be entered into between the grantee and the department or officer of the United States having control of the same, under such conditions, approved by the Board

and such department or officer, as may be agreed upon.

Sec. 12. Each grantee shall provide and maintain in connection must have and main-

(a) Adequate slips, docks, wharves, warehouses, loading and unloading and mooring facilities where the zone is adjacent to water; or, in the case of an inland zone, adequate loading, unloading, and warehouse facilities;

(b) Adequate transportation connections with the surrounding territory and with all parts of the United States, so arranged as to permit of proper guarding and inspection for the protection of the revenue;

(c) Adequate facilities for coal or other fuel and for light and

power;

(d) Adequate water and sewer mains;

(e) Adequate quarters and facilities for the officers and employees of the United States, State, and municipality whose duties may require their presence within the zone;

(f) Adequate enclosures to segregate the zone from customs territory for protection of the revenue, together with suitable provisions for ingress and egress of persons, conveyances, vessels, and merchan-

(g) Such other facilities as may be required by the Board.

SEC. 13. The grantee may, with the approval of the Board, and others to erect build-under reasonable and uniform regulations for like conditions and Board's approval. circumstances to be prescribed by it, permit other persons, firms, corporations, or associations to erect such buildings and other structures within the zone as will meet their particular requirements: Provided, That such permission shall not constitute a vested right as against the United States, nor interfere with the regulation of the grantee or the permittee by the United States, nor interfere with or complicate the revocation of the grant by the United States: And provided further, That in the event of the United States or the accrue on transfer. grantee desiring to acquire the property of the permittee no good will shall be considered as accruing from the privilege granted to the zone: And provided further, That such permits shall not be granted in public interest on terms that conflict with the public are selected. on terms that conflict with the public use of the zone as set forth in

SEC. 14. Each zone shall be operated as a public utility, and all public utility. rates and charges for all services or privileges within the zone shall be fair and reasonable, and the grantee shall afford to all who may apply for the use of the zone and its facilities and appurtenances be reasonable and non-uniform treatment under like conditions, subject to such treaties discriminatory.

Provisos. U.S. rights not prejudiced.

Cost of maintaining

Use of zone for residential purposes restricted.

Authority of Board. Regulations governing employees.

Exclusion of detri-mental goods, etc.

Restriction on conduct of retail trade.

Form and manner of keeping accounts.

or commercial conventions as are now in force or may hereafter be made from time to time by the United States with foreign governments and the cost of maintaining the additional customs service

required under this Act shall be paid by the operator of the zone. Sec. 15. (a) No person shall be allowed to reside within the zone except Federal, State, or municipal officers or agents whose resident presence is deemed necessary by the Board.

(b) The Board shall prescribe rules and regulations regarding employees and other persons entering and leaving the zone. All rules and regulations concerning the protection of the revenue shall be approved by the Secretary of the Treasury.

(c) The Board may at any time order the exclusion from the zone of any goods or process of treatment that in its judgment is detri-

mental to the public interest, health, or safety.

(d) No retail trade shall be conducted within the zone except under permits issued by the grantee and approved by the Board. Such permittees shall sell no goods except such domestic or dutypaid or duty-free goods as are brought into the zone from customs territory.

Sec. 16. (a) The form and manner of keeping the accounts of each zone shall be prescribed by the Board.

(b) Each grantee shall make to the Board annually, and at such other times as it may prescribe, reports containing a full statement of all the operations, receipts, and expenditures, and such other information as the Board may require.

(c) The Board shall make a report to Congress on the first day of each regular session containing a summary of the operation and fiscal condition of each zone and transmit therewith copies of the annual report of each grantee.

Sec. 17. The grant shall not be sold, conveyed, transferred, set

over, or assigned.

Sec. 18. (a) In the event of repeated willful violations of any of the provisions of this Act by the grantee, the Board may revoke the grant after four months' notice to the grantee and affording it an The testimony taken before the Board opportunity to be heard. shall be reduced to writing and filed in the records of the Board together with the decision reached thereon.

(b) In the conduct of any proceeding under this section for the revocation of a grant the Board may compel the attendance of witnesses and the giving of testimony and the production of documentary evidence, and for such purpose may invoke the aid of the district

courts of the United States.

(c) An order under the provisions of this section revoking the grant issued by the Board shall be final and conclusive, unless within ninety days after its service the grantee appeals to the circuit court of appeals for the circuit in which the zone is located by filing with the clerk of said court a written petition praying that the order of the Board be set aside. Such order shall be stayed pending the disposition of appellate proceedings by the court. The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Board and it shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in the proceedings held before it under this section, the charges, the evidence, and the order revoking the grant. The testimony and evidence taken or submitted before the Board, duly certified and filed as a part of the record, shall be considered by the court as the evidence in the case.

Alienation of grant prohibited.

Revocation of grant on showing of violation.

Procedure.

Penalty provision.

Sec. 19. In case of a violation of this Act, or any regulation under this Act, by the grantee, any officer, agent, or employee thereof responsible for or permitting any such violation shall be subject to a fine of not more than \$1,000. Each day during which a violation

continues shall constitute a separate offense.

Sec. 20. If any provision of this Act or the application of such Separability proviprovision to certain circumstances be held invalid, the remainder of the Act and the application of such provisions to circumstances other than those as to which it is held invalid shall not be affected thereby.

Sec. 21. The right to alter, amend, or repeal this Act is hereby reserved. reserved.

Approved, June 18, 1934.

[CHAPTER 591.]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near York Furnace, Pennsylvania.

June 18, 1934. [H.R. 9326.] [Public, No. 398.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania may bridge, at York Furnace. to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near York Furnace, York County, Pennsylvania, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Susquehanna River.

Construction. Vol. 34, p. 84.

Sec. 2. If tolls are charged for the use of such bridge, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay fund, etc. the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated tree of tolls, or the rates of tolls shall threafter be so adjusted as to provide a fund of not to exceed the amount process. provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of Record of expenditures and receipts. the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Tolls to be applied to peration, sinking

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 18, 1934.

[CHAPTER 592.]

AN ACT

June 18, 1934. [H.R. 9371.] [Public, No. 399.]

To authorize the incorporated town of Douglas City, Alaska, to undertake certain municipal public works, including construction, reconstruction, enlargement, extension, and improvements of its water-supply system; and construction, reconstruction, enlargement, extension, and improvements to sewers, and for such purposes to issue bonds in any sum not exceeding \$40,000.

Be it enacted by the Senate and House of Representatives of the Douglas City, United States of America in Congress assembled, That the incorpo-May issue bonds for rated town of Douglas City, Alaska, is hereby authorized and certain public works. empowered to undertake the municipal public works herein specified and for such purposes to issue bonds in any sum not exceeding \$40,000. Said town is hereby authorized and empowered to construct, reconstruct, enlarge, extend, and improve its water-supply system and for such purpose to issue bonds in any sum not exceeding \$25,000; to construct, reconstruct, enlarge, extend, and improve sewers and for such purpose to issue bonds in any sum not exceeding \$15,000.

Special election to authorize.

Sec. 2. That before said bonds shall be issued a special election shall be ordered by the common council of the said town of Douglas City, at which election the question of whether such bonds shall be issued in the amounts above specified for either or both of the purposes hereinbefore set forth shall be submitted to the qualified electors of said town of Douglas City whose names appear on the last assessment roll of said town for municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for each of the purposes herein specified in the amounts herein authorized. Not less than twenty days' notice of such election shall be given by posting notices of the same in three conspicuous places within the corporate limits of the town of Douglas City, Alaska, one of which shall be at the front door of the United States post office. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued for either or both of the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said town shall be in favor of the issuance of said bonds for such purpose.

Conduct of election.

Bonds to be coupon in form; denomination. maturity, etc.

Redemption.

Signatures; validity.

Sec. 3. Such bonds shall be coupon in form, may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be redeemable, with or without premium, or nonredeemable, and may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said town of Douglas City at the time such bonds are authorized to be issued. The bonds shall bear the signatures of the mayor and clerk of the town of Douglas City, and shall have impressed thereon the official seal of said town. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the said town of Douglas City, not to exceed 6 per centum per annum, payable semiannually, and the bonds shall be sold at not less than the principal amount thereof plus accrued interest. SEC. 4. The bonds herein authorized to be issued shall be general obligations of said town of Douglas City, payable as to both interest and principal from ad valorem taxes which shall be levied upon all the taxable property within the corporate limits of said town of Douglas City in an amount sufficient to pay the interest on and principal of such bonds as and when the same become due and payable. Such of the bonds as may be issued to construct, reconstruct, enlarge, extend, or improve the water-supply system of said town of Douglas City may, if so provided by the common council of said town of Douglas City, be additionally secured by a direct for water bonds. pledge of all or any part of the revenues of said water-supply system and any subsequent additions or extensions thereto, remaining after provisions for the payment of the reasonable costs of operation and maintenance of said system and the cost of such repairs, improve-ments, and betterments thereto as shall be necessary to keep the same at all times in good repair and working order.

Sec. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the town of Douglas City shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as the same may be required for said

SEC. 6. The town of Douglas City is hereby authorized to enter the provisions of National Industrial Resolution of the National Industrial Resolut instrumentality thereof, under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with provisions of this Act or for the acceptance of a grant of money to aid said town in financing any public works herein authorized; or to enter into contracts with any person or corporation, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions, subject to the provisions of this Act, as may be agreed upon by and between the common council of said town of Douglas City and the United States of America or any agency or instrumentality thereof, or such terms and conditions, subject to the provisions of this Act. as may be agreed upon by and between the common council of said town of Douglas City and any other purchaser of said bonds.

Approved, June 18, 1934.

[CHAPTER 593.]

AN ACT

Granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Middletown, Dauphin County, Pennsylvania.

[Public, No. 400]

June 18, 1934. [H.R. 9401.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania, bridge, at Middletown. acting through its Department of Highways, to construct, maintain, and operate a toll bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near Middletown, Dauphin County, and between Middletown, Dauphin County, and Goldsboro, York County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the Act

Use of funds restricted.

Ante, p. 200.

Susquehanna River.

73d CONGRESS. SESS. II. CHS. 593, 594. JUNE 18, 1934.

Construction. Vol. 34, p. 84. entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Tolls to be applied to operation, sinking fund, etc.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated

Maintenance as free p bridge, after amortizing free costs.

a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Record of expenditures and receipts.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

[CHAPTER 594.]

AN ACT

June 18, 1934. [H.R. 9402.] [Public, No. 401.]

To authorize the incorporated town of Fairbanks, Alaska, to undertake certain municipal public works, including construction, reconstruction, and extension of sidewalks; construction, reconstruction, and extension of sewers, and construction of a combined city hall and fire-department building, and for such purposes to issue bonds in any sum not exceeding \$50,000.

Fairbanks, Alaska. May issue bonds for certain public works.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the incorporated town of Fairbanks, Alaska, is hereby authorized and empowered to undertake the municipal public works herein specified and for such purposes to issue bonds in any sum not exceeding \$50,000. Said town is hereby authorized and empowered to construct, reconstruct, and extend sidewalks and for such purpose to issue bonds in any sum not exceeding \$10,000; to construct, reconstruct, and extend sewers and for such purpose to issue bonds in any sum not exceeding \$10,000; to construct a combined city hall and fire-department building and for such purpose to issue bonds in any sum not exceeding \$30,000. All of said public works are to be undertaken in the said town of Fairbanks, Alaska.

Special election to authorize.

Sec. 2. Before said bonds shall be issued a special election shall be ordered by the common council of the said town of Fairbanks, at which election the question of whether such bonds shall be issued in the amounts above specified for any or all of the purposes hereinbefore set forth shall be submitted to the qualified electors of said town of Fairbanks whose names appear on the last assessment roll of said town for municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for each of the purposes herein specified in the amounts herein authorized. Not less than twenty days' notice of such election shall be given by publication thereof in a newspaper printed and published and of general circulation in said town before the day fixed for such election. The registration for such election, the manner of conducting the same, the canvass of the returns of said election shall be,

authorize.

Conduct of election.

as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality, and said bonds shall be issued for any or all of the purposes herein authorized only upon condition that not less than a majority of the votes cast at such election in said town shall be in favor of the issuance of said bonds

for such purpose.

Sec. 3. Such bonds shall be coupon in form, may bear such date or turity, etc. dates, may be in such denomination or denominations, may mature in such amounts and at such time or times, not exceeding thirty years from the date thereof, may be payable in such medium of payment and at such place or places, may be sold at either public or private sale, may be redeemable, with or without premium, or nonredeemable, may carry such registration privileges as to either principal and interest, principal only, or both, as shall be prescribed by the common council of said town of Fairbanks at the time such bonds are authorized to be issued. The bonds shall bear the signatures of the mayor and clerk of the town of Fairbanks, and shall have impressed thereon the official seal of said town. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes the same as if the officers of the town signing the same had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the said town of Fairbanks, not to exceed 6 per centum per annum, payable semiannually, and the bonds shall be sold at not less than the principal amount thereof plus accrued interest.

Src. 4. The bonds herein authorized to be issued shall be general obligations. obligations of said town of Fairbanks, payable as to both interest and principal from ad valorem taxes which shall be levied upon all Payment of principal and interest. the taxable property within the corporate limits of said town of Fairbanks in an amount sufficient to pay the interest on and principal of such bonds as and when the same become due and payable.

Sec. 5. No part of the funds arising from the sale of said bonds stricted of funds reshall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the town of Fairbanks shall direct, and the proceeds thereof shall be disbursed for the purposes hereinbefore mentioned and under the orders and directions of said common council from time to time as the same may be required for said

purposes.

SEC. 6. The town of Fairbanks is hereby authorized to enter into der provisions of Nacontracts with the United States of America or any agency or instrumentality thereof, under the provisions of the National Industrial Recovery Act and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and the regulations made in pursuance thereof, and under any further Acts of the Congress of the United States to encourage public works, for the sale of bonds issued in accordance with provisions of this Act or for the acceptance of a grant of money to aid said town in financing any public works herein authorized; or to enter into contracts with any person or corporation, public or private, for the sale of such bonds; and such contracts may contain such terms and conditions subject to the provisions of this Act, as may be agreed upon by and between the common council of said town of Fairbanks and the United States of America or any agency or instrumentality thereof, or such terms and conditions, subject to the provisions of this Act, as may be agreed upon by and between the common council of said town of Fairbanks and any other purchaser of said bonds.

Approved, June 18, 1934.

Form of bonds: ma-

Redemption.

Signatures: validity.

Sale of bonds.

[CHAPTER 595.]

AN ACT

June 18, 1934. [H.R. 9476.] [Public, No. 402.]

To empower certain members of the Division of Investigation of the Department of Justice to make arrests in certain cases, and for other purposes.

tice. Power Power of certain members of Division of Investigation to make arrests.

Be it enacted by the Senate and House of Representatives of the Department of Just United States of America in Congress assembled, That the Director, Assistant Directors, agents, and inspectors of the Division of Investigation of the Department of Justice are empowered to serve warrants and subpenas issued under the authority of the United States; to make seizures under warrant for violation of the laws of the United States; to make arrests without warrant for felonies which have been committed and which are cognizable under the laws of the United States, in cases where the person making the arrest has reasonable grounds to believe that the person so arrested is guilty of such felony and where there is a likelihood of the person escaping before a warrant can be obtained for his arrest, but the person arrested shall be immediately taken before a committing officer. Such members of the Division of Investigation of the Department of Justice are authorized and empowered to carry firearms.

May carry firearms.

[CHAPTER 596.]

Approved, June 18, 1934.

AN ACT

June 18, 1934. [H.R. 9526.] [Public, No. 403.]

Authorizing the city of Port Arthur, Texas, or the commission hereby created and its successors, to construct, maintain, and operate a bridge over Lake Sabine, at or near Port Arthur, Texas.

Lake Sabine, Tex.
Port Arthur Bridge
Commission may
bridge, at Port Arthur.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the city of Port Arthur, Texas, or the Port Arthur Bridge Commission (hereinafter called the "Commission") hereby created, and its successors be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Lake Sabine, at a point suitable to the interests of navigation, between a point at or near Port Arthur, Texas, and a point opposite in Cameron Parish, Louisiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to conditions and limitations contained in this Act.

Construction. Vol 34, p. 84.

Right to acquire real estate for location, approaches, etc.

Sec. 2. There is hereby conferred upon the city of Port Arthur, Texas, or the Commission hereby created and its successors, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State. erty for public purposes in such State.

ceedings.

Sec. 3. The said city of Port Arthur, Texas, or the Commission Tolls authorized. hereby created and its successors, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War

under the authority contained in the Act of March 23, 1906.

Sec. 4. In fixing the rates of toll to be charged for the use of such to provide for operabridge the same shall be so adjusted as to provide a fund sufficient tion, sinking fund, etc. to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been bridge, etc., after amortization shall have been bridge, etc., after amortization shall have been attended, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall hereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of tures and receipts. the cost of the bridge and its approaches, the expenditures for maintaining, repairing and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 5. There is hereby created a body corporate and politic to be commission" created known as the "Port Arthur Bridge Commission", which shall consist of five members approved by the mayor of Port Arthur subject

to the approval of a majority of the city commission.

Sec. 6. The Commission shall consist of five members appointed by Membership; terms, filling vacancles, etc. the mayor of Port Arthur, and shall be a body politic and corporate constituting a public-benefit corporation and shall be deemed a public body within the meaning of the National Industrial Recovery Act. The Commission shall elect a chairman from its members and may establish rules and regulations for the government of its own business. Each member shall serve for a term of five years and until his successor has been appointed and has qualified, except that the initial terms of the members shall be respectively one, two, three, four, and five years. The initial term of the member elected chairman shall be five years, and the Commission shall determine by lot the initial terms of the other members. The mayor of Port Arthur, with the approval of a majority of the city commission, may appoint a successor to hold office for the unexpired term of any member in whose office a vacancy shall occur by death, resignation, or otherwise. Each member shall qualify by giving such bond as may be fixed by the governing body of the city of Port Arthur conditioned for the faithful performance of all duties required by this Act. Three members shall constitute a quorum for the transaction of business. No member shall receive a salary for his services as member, but each member shall be paid his actual expenses not exceeding \$5 per day in the performance of his duties hereunder. Members of the Commission may be removed for cause by the mayor of Port Arthur and the majority of the city commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as it may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act.

Sec. 7. The Commission shall have all the powers and authority necessary or convenient for the carrying out of the purposes of this Act, including (but without limitation) the following rights, powers,

and authority:

To have perpetual succession as a corporation;

(a) To have perpetual succession as a corporation;(b) To sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity;

(c) To adopt, use, and alter a corporate seal;

Rates to be adjusted

Composition

Quorum. Members allowed ex-penses; no salary.

Employees,

Corporate powers.

(d) To acquire, purchase, hold, use, lease, mortgage, sell, transfer, and dispose of any property, real, personal, or mixed, tangible or intangible, or any interest therein;

(e) To make bylaws for the management and regulation of its

affairs;
(f) To appoint officers, agents, employees, and servants, to prescribe their duties and to fix their compensation;

(g) To fix, alter, charge, and collect tolls and other charges for transit over and use of such bridge;
(h) To borrow money, make and issue negotiable notes, bonds, and other evidences of indebtedness of the Commission, and to secure the payment of such obligations or any thereof by mortgage, lien, pledge or deed of trust upon all or any of the property of the Commission, and to make agreements with the purchasers or holders of such obligations, or with others in connection with any such obligations, issued or to be issued, as the Commission shall deem advisable, and in general to provide for the security for said obligations and the rights of the holders thereof;

(i) To make contracts of every kind and nature and to execute all instruments necessary or convenient for the carrying on of its

affairs; and

(j) Without limitation of the foregoing, to borrow money from

the United States Government or any corporation or agency created, designated, or established by the United States and to enter into contracts with the United States or such corporation or agency.

Bond issue author-zed to cover cost.

Bonds to be authorized by Commission.

Provisions of.

Signatures; effect of. bonds.

Sec. 8. Without limiting any powers anywhere in this Act granted to the Commission, the Commission is hereby authorized to provide for the payment of the cost of the bridge and its approaches and the necessary land, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission and to secure the payment of all or any such bonds by mortgage, lien, pledge, or deed of Said bonds shall be authorized trust upon all or any of its property. by resolution of the Commission and shall bear such date or dates, be in such forms and contain such provisions as the Commission may determine and as may be provided in such resolution or in the mortgage or deed of trust or other instrument securing said bonds. Any resolution or resolutions authorizing such bonds may contain provisions, which shall be part of the contract with the holders of such bonds, as to (a) the rates of tolls and other charges to be charged by the Commission for transit over or use of the bridge, (b) the registration of the bonds as to principal only or as to principal and interest, and the interchangeability and exchangeability of such bonds, (c) the issuance of temporary bonds or interim receipts pending the preparation of definitive bonds, and the terms and provisions of such temporary bonds or interim receipts, (d) the redemption of the bonds, and the price or prices, not exceeding 105 and accrued interest, at which they shall be redeemable, (e) the setting aside of reserves or sinking funds and the regulation and disposition thereof, (f) limitations upon the issuance of additional bonds, (g) the terms and provisions of any mortgage, deed of trust, or other instrument under which the bonds may be issued or by which they may be secured, and (h) any other or additional agreement, with the holders of such bonds. The bonds shall be signed by such officers as the Commission shall determine, and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer or other corresponding officer of the Commission. Any such bonds may be issued and delivered, notwithstanding the fact that one or more of the officers signing such bonds, or the treasurer or corresponding officer whose facsimile signature shall be upon the coupons or any thereof, shall have ceased to be such officer or officers at the time

when such bonds shall actually be delivered.

The Commission may enter into any mortgages, deeds of trust, Commission may finance through private indentures, or other agreements with any bank or trust company or or Government agency. other person or persons in the United States having power to enter into the same, including the United States Government or any corporation or agency designated or created by it, as security for the bonds, and may transfer, convey, mortgage, or pledge all or any of the property of the Commission thereunder. Such mortgage, deed of trust, indenture, or other agreement may contain such provisions as may be customary in such instruments or as the Commission may authorize; including (but without limitation) provisions as to (a) the terms and provisions of the bonds or the resolution providing for the issuance of the same, (b) the construction, operation, maintenance, repair, and insurance of the properties of the Commission and the duties of the Commission with reference thereto, (c) the application of funds and the safeguarding of funds on hand or on deposit, (d) the rights and remedies of such trustee and the holders of the bonds (which may include restrictions upon the individual right of action of hondholders), and (e) possession of the properties covered by such mortgage, deed of trust, indenture, or other agreement.

The bonds of the Commission may be sold in such manner, at such time or times, and at such price or prices as the Commission may determine, but no such sale shall be made at a price which would make the interest cost to maturity on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, exceed 6 per centum per annum. The cost of the bridge shall be deemed to include Bridge cost to ininterest during construction of the bridge, and for not exceeding twelve months thereafter, and all engineering, legal, architectural, traffic-surveying, and other expenses incident to the construction of the bridge and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds purchases should be found expedient. If the proceeds of the bonds to be placed in a sink-issued shall exceed the cost as finally determined, the excess shall in fund.

be placed in the sinking fund hereinafter provided.

Sec. 9. After payment of the bonds and interest and discharge of obligations of the Commission, or after a sinking fund sufficient for such payment and discharge shall have been provided to Texas and Louisians. and shall be held for that purpose, the Commission shall be authorized to deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within the State of Texas to the State of Texas or any municipality thereof or any agency of said State or any such municipality as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Texas interests") and that part within the State of Louisiana to the State of Louisiana or to any municipality thereof or any agency of said State or any such municipality as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Louisiana interests"), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, insured, and repaired by the Texas interests and the Louisiana interests, as may be agreed upon; but if either the

Provisions of agree-

Sale price of bonds.

73d CONGRESS. SESS. II. CHS. 596, 597. JUNE 18, 1934.

Texas interests or the Louisiana interests shall not be authorized to accept or shall not accept the same under such conditions, the Commission may transfer the bridge to either of said interests which shall so accept the same and if neither interest shall so accept the same, then the bridge shall continue to be owned, maintained, operated, insured, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper maintenance, repair, insurance, and operation of the bridge and its approaches under economical management, including reasonable reserves, until such time as the Texas interests or the Louisiana interests, or both, shall be authorized to accept and shall accept such conveyance under the conditions aforesaid.

Toll rates to provide for operation, sinking fund, etc.

Restriction on incur-ring obligations.

Sec. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this Act. No obligation created or liability incurred pursuant to this Act shall be an obligation or liability of any member or members of the Commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Enforcement provi-

Sec. 11. All provisions of this Act may be enforced, or the violation thereof prevented, by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of Texas, or by the attorney general for the State of Louisiana, or by the United States district attorney for the district in which the bridge may be located, in part, in any court having competent jurisdiction of the subject matter and of the parties.

Rights reserved.

Sec. 12. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

[CHAPTER 597.]

AN ACT

June 18, 1934. [H.R. 9571.] [Public, No. 404]

Granting the consent of Congress to the county commissioners of Essex County, in the State of Massachusetts, to construct, maintain, and operate a free highway bridge across the Merrimack River, in the city of Lawrence, Massachusetts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent Essex County, Mass, of Congress is hereby granted to the county commissioners of Essex rence County in the State of Massachusetts. County, in the State of Massachusetts, and their successors and assigns, to construct, maintain, and operate a free highway bridge and approaches thereto across the Merrimack River, at a point suitable to the interests of navigation, at Broadway, in the city of Lawrence, in the county of Essex, in the State of Massachusetts, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.
Sec. 2. The right to alter, amend, or repeal this Act is hereby

Construction Vol. 34, p. 81

Amendment.

expressly reserved.

Approved, June 18, 1934.

[CHAPTER 598.]

AN ACT

To authorize the reduction of the required distance between liquor distilleries and rectifying plants and to authorize higher fences around distilleries.

June 18, 1934. [H.R. 9617.] [Public, No. 405.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3266 of the Revised Statutes (relating to premises on which the distilling of liquor is prohibited) (U.S.C., Supp. VII, title 26, sec. 1170) is U.S.C. Supp. amended by inserting after the word "rectifying" a comma and the Premises to following: "except that the Secretary of the Treasury is authorized ling: distance. to permit such use for distilling on premises at such lesser distance that i six hundred feet as he prescribes, in any case in which he deems that such permission may be granted without danger to the revenue".

Liquor distilleries and rectifying plants. R.S. sec. 3266, p. 631; U.S.C. Supp. VII, p. Premises for distil-

SEC. 2. Section 3280 of the Revised Statutes (relating to minimum distance between places where businesses of distilling and rectifying U.S.C., Supp. VII, p. may be carried on, and to conditions precedent to correins on distill ing business) (U.S.C., Supp. VII, title 26, sec. 1183) is amended by ling and rectifying striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "except that the Secretary of the Treasury is authorized to permit such business of distilling or process of distillation to be carried on at such lesser distance than six hundred feet as he prescribes, in any case in which he deems that

such permission may be granted without danger to the revenue".

Sec. 3. So much of section 3244 "Third" of the Revised Statutes, tax. Some officer shall collect any special tax for rectifying distilled spirits on 692. Collecting special day. Special distilled spirits on 692. any premises less than six hundred feet in a direct line from any distillery" is amended to read as follows: "no officer shall collect any special tax for rectifying distilled spirits on any premises less than six hundred feet (or less than the distance permitted by the Secretary of the Treasury in the particular case) in a direct line from any distillery".

SEC. 4. Section 3275 of the Revised Statutes (relating to keeping accessible. stilleries accessible) (U.S.C., Supp. VII, title 26, sec. 1177) is R.S., sec. 3275, p. 633. distilleries accessible) (U.S.C., Supp. VII, title 26, sec. 1177) is amended by striking out the period at the end of the first sentence p. 616. and inserting in lieu thereof a comma and the following: "but the ren Secretary of the Treasury may authorize the construction and maintenance of a fence or wall of such greater height than five feet as he shall prescribe in any case in which in his opinion such higher fence or wall is necessary to give adequate protection from trespassers."

Fencing premises.

Approved, June 18, 1934.

[CHAPTER 599.]

AN ACT

Authorizing the Sistersville Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Ohio River at Sistersville, Tyler County, West Virginia.

June 18, 1934. [H.R. 9618.] [Public, No. 406.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, C. S. Sutton, president of the county court of Tyler County, West Virginia, and his successors in office, W. L. Sutton, mayor of the city of Sistersville, West Virginia, and his successors in office, and Arnold Stoeffer, president of the Board of County Commissioners of Monroe County, Ohio, and his successors in office, all as trustees, are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the

Ohio River.
Bridge authorized across at Sistersville,
W.Va.

Construction Vol. 34, p. 84.

¹ So in original.

Ohio River, at a point suitable to the interests of navigation, at Sistersville, Tyler County, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act; and said trustees shall own and hold said bridge in trust for Tyler County, West Virginia, Monroe County, Ohio, and the city of Sistersville, West Virginia; said trustees being known as and functioning as the Sistersville Bridge Board of Trustees, and serving without compensation. Said board of trustees is thereby granted the right to assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act.

Right to acquire real estate for location, approaches, etc.

Sec. 2. There is hereby conferred upon said board of trustees all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid Condemnation pro- according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Tolls authorized.

Sec. 3. The said board of trustees is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Rates adjusted to provide for operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

tolls collected shall be kept and shall be available for the information of all persons interested. Sec. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of

the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily

Amendment.

Approved, June 18, 1934.

[CHAPTER 600.]

AN ACT

June 18, 1934. [H.R. 9622.] [Public, No. 407.]

To amend subsection (a) of section 23 of the District Alcoholic Beverage Control Act.

Alcoholic Beverage Control Act, D.C. Ante, pp. 332, 654.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 23 of the District of Columbia Alcoholic Beverage Control Act is amended so as to read as follows:

"Sec. 23. (a) There shall be levied, collected, and paid on all of Tax rate on designees. the following-named beverages manufactured by a holder of a manufacturer's license and on all of the said beverages imported or brought into the District of Columbia by a holder of a wholesaler's license, except beverages as may be sold to a dealer licensed under the laws of any State or Territory of the United States and not licensed under this Act, and on all beverages imported or brought into the District of Columbia by a holder of a retailer's license, a tax at the following rates to be paid by the licensee in the manner hereinafter provided:".

(1) A tax of 35 cents on every wine-gallon of wine containing wine, except chammore than 14 per centum of alcohol by volume, except champagne, or any wine artificially carbonated and a proportionate tax at a like rate on all fractional parts of such gallon; (2) a tax of 50 cents on every wine-gallon of champagne or any wine artificially carbonated, and a proportionate tax at a like rate on all fractional parts of such gallon; (3) a tax of 50 cents on every wine-gallon of spirits, and a proportionate tax at a like rate on all fractional parts of such gallon; (4) and a tax of \$1.10 on every wine-gallon of alcohol, and a proportionate tax at a like rate on all fractional parts of such gallon.

SEC. 2. That subsection (e) of section 23 be amended by inserting the word "taxable" after the word "upon" in the beginning of the first sentence and by inserting the word "taxable" after the word "upon" in the beginning of the second sentence.

Approved, June 18, 1934.

[CHAPTER 601.]

AN ACT

To extend the times for commencing and completing the construction of a bridge – across the Missouri River at or near Washington, Missouri.

June 18, 1934. [H.R. 9645.] [Public, No. 408.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times Time extended for commencing and completing the construction of a bridge across bridging, at Washington, Mo. the Missouri River at or near Washington, Missouri, authorized to be built by the city of Washington, Missouri, by an Act of Congress approved June 15, 1933, are hereby extended one and three years, respectively, from June 15, 1934.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

CHAPTER 602.]

AN ACT

To authorize the acquisition of additional land for the Upper Mississippi River — [H.R. 9646.]
Wild Life and Fish Refuge.

Be it enacted by the Senate and House of Representatives of the

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Upper Mississippi River Wild Life and Fish Refuge Act (43 Stat. 650) is amended to read as follows:

"Sec. 2. The Secretary of Agriculture is authorized to acquire, by purchase, gift, or lease, such areas of land, or of land and water, situated between Rock Island, Illinois, and Wabasha, Minnesota, on either side of or upon islands in the Missisippi River which are not used for agricultural purposes. as he determines suitable for the used for agricultural purposes, as he determines suitable for the purposes of this Act."

Approved, June 18, 1934.

Champagne.

Spirits.

Alcohol.

Amendment.

Ante, p. 152.

June 18, 1934. IH.R. 9646.

[CHAPTER 603.]

AN ACT

June 18, 1934. [H.R. 9721.] [Public, No. 410.]

Authorizing the Spencer County Bridge Commission, of Spencer County, Indiana, to construct, maintain, and operate a toll bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky.

Ohio River. Spencer County, Ind., may bridge, at Rockport.

Construction. Vol. 34, p. 84. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve postal service, and provide for military and other purposes, the Spencer County Bridge Commission, of Spencer County, Indiana, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Ohio River, at a point suitable to the interests of navigation, between Rockport, Indiana, and Owensboro, Kentucky, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Right to acquire real estate for location, approaches, etc.

SEC. 2. There is hereby conferred upon the Spencer County Bridge Commission, of Spencer County, Indiana, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Condemnation proceedings

Tolls authorized

SEC. 3. The said Spencer County Bridge Commission, of Spencer County, Indiana, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Rates adjusted to provide for operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures of maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Amendment.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 18, 1934.

[CHAPTER 604.]

AN ACT

Providing for the ratification of Joint Resolution Numbered 59 of the Legislature of Puerto Rico, approved by the Governor May 5, 1930, imposing an import duty on coffee imported into Puerto Rico.

June 18, 1934. [H.R. 9946.] [Public, No. 411.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the taxes and duties imposed by Joint Resolution Numbered 59, enacted by the imposing important property on coffee, ratified.

Puerto Rico.

Legislative resolution, imposing important property on coffee, ratified. Vol. 46, p. 696. Rico May 5, 1930, are legalized and ratified, and the collection of all such taxes and duties made under or by authority of such Joint Resolution of the Puerto Rican Legislature is legalized, ratified, and confirmed as fully to all intents and purposes as if the same had, by prior Act of Congress, been specifically authorized and directed.

Approved, June 18, 1934, 4 p.m.

[CHAPTER 605.]

JOINT RESOLUTION

Authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Eloy Alfaro and Jaime Eduardo Alfaro, citizens of Ecuador.

June 18, 1934. [S.J.Res., 108.] [Pub. Res., No. 35.]

States of America in Congress assembled, That the Secretary of emy, West Point.

War be, and he is hereby, authorized to permit Eloy Alfaro and Jaime Eduardo Alfaro, citizens of Ecuador, to receive instruction to receive instruction at the United States Military Academy at West Point: Provided, Provise.

That no expense shall be caused to the United States thereby, and that said Eloy Alfaro and Laime Eduardo Alfaro shall all the Compliance with regulations. Resolved by the Senate and House of Representatives of the United that said Eloy Alfaro and Jaime Eduardo Alfaro shall each agree to comply with all regulations for the police and discipline of the Academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that neither shall be admitted to the Academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that each shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: Provided further, That in the cases of said waived. Eloy Alfaro and Jaime Eduardo Alfaro the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

Approved, June 18, 1934.

[CHAPTER 606.]

JOINT RESOLUTION

To amend section 72 of the Printing Act, approved January 12, 1895, and Acts amendatory thereof and supplementary thereof, relative to the allotment of public documents, and section 85 of the same Act fixing the date of the expiration of the franking privilege to Members of Congress.

June 18, 1934. [S.J. Res., 130. [Pub.Res., No. 36.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 72 of chapter 23 of the Printing Act (U.S.C., title 44, sec. 158), approved January U.S.C., p. 1425.

be, and is hereby, amended to read as follows:

"Sec. 72. Allotment of documents. The Congressional allotment of documents (except the Congressional Record) printed after the expiration of the term of office of the Vice President of the United States, or any Senator, Representative, Delegate, or Resident Commissioner, shall be delivered to his or her successor in office.

73d CONGRESS. SESS. II. CHS. 606, 607. JUNE 18, 1934.

Documents credited at expiration of term; disposition.

"The Vice President of the United States and any Senator, Representative, Delegate, or Resident Commissioner in Congress, having public documents to his credit at the expiration of his term of office shall take the same prior to the 30th day of June next following the date of such expiration, and if he shall not do so within such period he shall forfeit them to his or her successor in office."

Sec. 2. That section 85 of chapter 23 of the Printing Act (U.S.C., title 39, sec. 326), approved January 12, 1895, be, and is hereby, amended to read as follows:

Franking privilege; documents sent and received by Vice Presi-dent, Members of Con-Secretary of Senate; Clerk, House of Representatives

"Sec. 85. Franking privilege.—The Vice President of the United States, and Senators, Representatives, Delegates, and Resident Commissioners in Congress, the Secretary of the Senate, and Clerk of the House of Representatives may send and receive through the mail all public documents printed by order of Congress; and the name of the Vice President, Senator, Representative, Delegate, Resident Commissioner, Secretary of the Senate, and Clerk of the House shall be written thereon, with the proper designation of the office he holds; and the provisions of this section shall apply to each of the persons named herein until the 30th day of June following the expiration of their respective terms of office."

Approved, June 18, 1934.

[CHAPTER 607.]

JOINT RESOLUTION

June 18, 1934. [H.J.Res., 295.] [Pub. Res., No. 37.]

Authorizing appropriation for expenses of representatives of United States to meet at Istanbul, Turkey, with representatives of Turkish Republic for purpose of examining claims of either Government against the other and for expense of proceedings before an umpire, if necessary.

American-Turkish claims Appropriation authorized to examine and settle. Post, p. 1041.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of \$90,000,

R.S., sec. U.S.C., p. 1309.

or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for participation by the United States in the examination and settlement at Istanbul, Turkey, or before an umpire, if necessary, of the claims presented by either the American or Turkish Government against the other, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended, and rent of offices and rooms for the use of the American representatives, in addition, if deemed necessary by the Secretary of State, to the lawful per diem, stenographic reporting and translating services by contract if deemed necessary, without regard to Section 3709 of the Revised Statutes (U.S.C. title 41, sec. 5); traveling expenses; purchase of law books and books Printing and binding; official cards; entertainment; Honorarium of neu expenses or honorarium of a neutral umpire in the event such an expense of traveling and binding; official cards; entertainment; appointment is found desirable; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified: Provided, That any expenditures from the amount herein authorized to be appropriated shall become a first charge upon any moneys received from the Turkish Government in settlement of the respective claims and the amount of such expenditures shall be deducted from the first payment by the Turkish Government and deposited in the Treasury of the United States as miscellaneous receipts: And provided further,

Provisos Expenditures to become first charge upon moneys received. That the Secretary of State, in distributing to the respective claim-amounts among claimants the balance of the amounts received from the Turkish Governants.

Mentage of the amounts received from the Turkish Governants.

Mentage of the amounts among claimants.

Mentage of the amount (29 Stat. 32), shall apportion the amount withheld, as above provided, in such a manner as to constitute a uniform percentage of deduction from the amount found to be due each claimant. Approved, June 18, 1934.

[CHAPTER 608.]

JOINT RESOLUTION

Extending for two years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1936, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbiter.

June 18, 1934. [H.J.Res., 325.] [Pub. Res., No. 38.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 2 and subsection (f) of section 5 of the Settlement Vol. 45, p. 254; Vol. of War Claims Act of 1928, as amended by Public Resolution (7, p. 318.) Numbered 11, Seventy-third Congress, approved June 12, 1933, are further amended, respectively, by striking out the words "six years" plication for payment wherever such words appear therein and inserting in lieu thereof was ants.

Ante, p. 125.
Time for making application for payment by American claim-the words "eight years".

SEC. 2. The first sentence of subsection (h) of section 6 of the

Settlement of War Claims Act of 1928 is amended to read as follows: "No payment shall be made under this section unless application therefor is made by March 10, 1936, in accordance with such regulations as the Secretary of the Treasury may prescribe."

Vol. 45, p. 264,

Payments

Approved, June 18, 1934.

[CHAPTER 609.]

JOINT RESOLUTION

Authorizing an appropriation for the participation of the United States in the IH.J.Res. 341]

International Celebration at Fort Niagara, New York.

[H.J.Res. 341]

[Pub. Res., No. 39.]

June 18, 1934. [H.J.Res. 341]

Whereas the Federal Government, through the War Department, International Coledesires to cooperate with the representatives of the Canadian, ara, N.Y. British, and French Governments, and the State of New York, in the International Colements. in the International Celebration to commemorate the fourth centenary of Jacques Cartier, the ratification of the Rush-Bagot Treaty in 1818, and the completion of the restoration of Old Fort Niagara, Niagara County, New York, as a historic and patriotic shrine symbolizing the history of the common interest of these nations in the evolution of the early American struggle and strife to a lasting peace of vast international significance: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is Appropriation authorized to be appropriated the sum of \$6,000, or so much tion. thereof as may be necessary, to pay the expenses of the participation of certain units of the Army of the United States in the events and ceremonies incident to the International Celebration at Fort Niagara, New York, under such regulations as the Secretary of War may

Approved, June 18, 1934.

73d CONGRESS. SESS. II. CHS. 610, 611. JUNE 18, 1934.

[CHAPTER 610.]

JOINT RESOLUTION

June 18, 1934. [H.J.Res. 370.] [Pub Res, No. 40.]

To protect the revenue by regulation of the traffic in containers of distilled spirits;

Requirements of manufacturers, persons dealing in, etc., containers.

Penalty provisions.

Resolved by the Senate and House of Representatives of the Traffic in containers United States of America in Congress assembled, That whenever in of distilled spirits. his judgment such action is necessary to protect the revenue, the Secretary of the Treasury is authorized, by the regulations prescribed by him, and permits issued thereunder if required by him (1) to Regulation of, au regulate the size, branding, marking, sale, resale, possession, use, and re-use of containers (of a capacity of less than five winegallons) designed or intended for use for the sale at retail of distilled spirits (within the meaning of such term as it is used in title II of of the Liquor Taxing Act of 1934) for other than industrial use, and (2) to require, of persons manufacturing, dealing in, or using any such containers, the submission to such inspection, the keeping of such records, and the filing of such reports as may be deemed by him reasonably necessary in connection therewith. Whoever willhim reasonably necessary in connection therewith. Whoever willfully violates the provisions of any regulation prescribed, or the terms or conditions of any permit issued, pursuant to the authorization contained in this joint resolution, and any officer, director, or agent of any corporation who knowingly participates in such violation, shall, upon conviction, be fined not more than \$1,000 or be imprisoned for not more than two years, or both; and, notwithstanding any criminal conviction, the containers involved in such violation shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for forfeitures, seizures, and condemnations for violations of the internalrevenue laws, and any such containers so seized and condemned shall Requirements imposed under this posed to be additional. be destroyed and not sold. Any requirements imposed under this joint resolution shall be in addition to any other requirements imposed by, or pursuant to, existing law, and shall apply as well to persons not liable for tax under the internal-revenue laws as to persons so liable.

Approved, June 18, 1934.

[CHAPTER 611.]

JOINT RESOLUTION

June 18, 1934. [H.J.Res., 373.] [Pub Res., No. 41.]

To protect the revenue by requiring information concerning the disposition of substances used in the manufacture of distilled spirits.

Information to be

Penalty provisions.

Definitions

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That every person disposing of any substance of the character used in the manufacture of distilled spirits shall, when required by the Commissioner, render Return showing dis- a correct return in such form and manner as the Commissioner, position to be filed. with the approval of the Secretary of the Treasury, may by rules and regulations prescribe, showing the names and addresses of the persons to whom such disposition was made, with such details, as to the quantity so disposed of or other information which the Commissioner may require as to each such disposition, as will enable the Commissioner to determine whether all taxes due with respect to any distilled spirits manufactured from such substances have been paid. Any person who willfully violates any provision hereof, or of any such rules or regulations, and any officer, director, or agent of any such person who knowingly participates in such violation, shall upon conviction be fined not more than \$500 or be imprisoned for not more than one year, or both. As used in this joint resolution (a) the term "distilled spirits" has the same meaning as that in

which it is used in title II of the Liquor Taxing Act of 1934; (b) the term "person" includes individuals, corporations, partnerships, associations, trusts, and other incorporated and unincorporated organizations; (c) "Commissioner" means the Commissioner of Internal Revenue; and (d) the term "substance of the character used in the manufacture of distilled spirits" includes, but not by way of limitation, molasses, corn sugar, cane sugar, and malt sugar. Approved, June 18, 1934.

[CHAPTER 648.]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes.

June 19, 1934 [H.R. 9830.] [Public, No. 412.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following Emergency Approsums are appropriated, out of any money in the Treasury not other1935. wise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes, namely:

TITLE I—GENERAL APPROPRIATIONS

LEGISLATIVE ESTABLISHMENT

SENATE

To pay to Eula W. Kendrick, widow of Honorable John B. Ken-

drick, late a Senator from the State of Wyoming, \$8,500.

To pay to Augusta M. Dale, widow of Honorable Porter H. Dale,

late a Senator from the State of Vermont, \$8,500.

For expenses of inquiries and investigations ordered by the Senate, liquiries and investigations, expenses including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1935, \$100,000: Provided, That no part of this appropriation shall be expended for services, personal, professional, ments for services or otherwise, in excess of the rate of \$3,600 per annum: Provided further. That no part of this appropriation is a little appropriation of this appropriation. or otherwise, in excess of the late of 45,555 properties and further, That no part of this appropriation shall be expended for ence expenses.

Vol 44, p. 688 per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

The unobligated balance of the appropriation for expenses of inquiries and investigations ordered by the Senate, contingent fund vol. 47, p. 1354. of the Senate, for the fiscal year 1934, is reappropriated and made available for the fiscal year 1935.

For miscellaneous items, exclusive of labor, for the following fiscal years:

For 1933, \$14,305.35; For 1934, \$50,000.00.

The unobligated balance of the appropriation for folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, for the fiscal ated. year 1934, is reappropriated and made available for the fiscal year 1935.

General appropriations.

Legislative.

Senate.

John B. Kendrick. Pay to widow.

Porter H. Dale Pay to widow

Provisos

Balance reappropri-

Miscellaneous items.

Folding speeches, etc. Balance reappropri-

Vol. 47, p. 1354.

Fiscal year for adjust-ing accounts fixed.

Hereafter the fiscal year for the adjustment of the accounts of the Secretary of the Senate for compensation and mileage of Senators shall extend from July 1 to June 30; and all laws and parts of laws inconsistent herewith are hereby repealed.

Compensation of

Senators elected, whose term of office begins on the 3d day of Janu-Senators.

When to commence, ary, and whose credentials in due form of law shall have been presented in the Senate, may receive their compensation monthly from

the beginning of their term.
Salaries of Senators appointed to fill vacancies in the Senate shall commence on the day of their appointment and continue until their successors are elected and qualified.

Salaries of Senators elected to fill such vacancies shall commence on the day they qualify.

When no appointments have been made the salaries of Senators elected to fill such vacancies shall commence on the day following their election.

When Senators have been elected during a sine die adjournment of the Senate to succeed appointees, the salaries of Senators so elected shall commence on the day following their election.

When Senators have been elected during a session to succeed appointees, but have not qualified, the salaries of Senators so elected shall commence on the day following the sine die adjournment of the Senate.

Appointment of clerical assistants.

A Senator entitled to receive his own salary may appoint the usual clerical assistants allowed Senators.

House of Representa-

Edward B. Almon. Pay to widow. Charles H. Brand. Pay to daughters.

John D. Clarke. Pay to widow.

Joseph I. Hooper. Pay to widow.

Lynn S. Hornor. Pay to widow.

Bolivar E. Kemp. Pay to widow.

James S. Parker. Pay to widow.

Edward W. Pou. Pay to widow.

Henry W. Watson. Pay to widow.

George F. Brumm. Pay to sisters.

Thomas C. Coffin. Pay to widow.

HOUSE OF REPRESENTATIVES

For payment to the widow of Edward B. Almon, late a Representative from the State of Alabama, \$8,500.

For payment in equal increments to Caroline Mell, Julia Sasnett, and Louelle Rawlston, daughters of Charles H. Brand, late a Representative from the State of Georgia, \$8,500.

For payment to the widow of John D. Clarke, late a Representative from the State of New York, \$8,500.

For payment to widow of Joseph I. Hooper, late a Representa-

tive from the State of Michigan, \$8,500.

For payment to the widow of Lynn S. Hornor, late a Representative from the State of West Virginia, \$8,500.

For payment to the widow of Bolivar E. Kemp, late a Representa-

For payment to the widow of Bohvan E. Remp, rate a Representative from the State of Louisiana, \$8,500.

For payment to the widow of James S. Parker, late a Representative from the State of New York, \$8,500.

For payment to the widow of Edward W. Pou, late a Representative from the State of North Carolina, \$8,500.

For payment to the widow of Henry W. Watson, late a Representative from the State of Papperlyania \$8,500.

tive from the State of Pennsylvania, \$8,500.

For payment to Susan I. Brumm and Joan L. Brumm, sisters of George F. Brumm, late a Representative from the State of Pennsylvania, \$8,500.

For payment to the widow of Thomas C. Coffin, late a Representative from the State of Idaho, \$8,500.

The foregoing sums to be disbursed by the Sergeant at Arms of the House.

Contested-election

Contested-election expenses: For payments to contestants and contestees for expenses incurred in the contested-election cases of Lovette against Reece, Ellis against Thurston, and McAndrews against Britten, as audited and recommended by the Committee on Elections Numbered One, respectively, as follows

To O. B. Lovette, contestant, \$1,993.61; To B. Carroll Reece, contestee, \$1,782.46;

To Lloyd Thurston, contestee, \$2,000;

To Lloyd Ellis, contestant, \$2,000;

To James McAndrews, contestant, \$1,657.82;

To Fred A. Britten, contestee, \$2,000; In all, \$11,433.89, to be disbursed by the Clerk of the House.

For payments to contestants and contestees for expenses incurred in the contested-election cases of Chandler against Burnham, Estep against Ellenbogen, and Gormley against Goss, as audited and recommended by the Committee on Elections Numbered Two, respectively, as follows:

To Claude Chandler, contestant, \$2,000; To George Burnham, contestee, \$2,000; To Henry Ellenbogen, contestee, \$805.26; To Edward W. Goss, contestee, \$2,000; To Martin E. Gormley, contestant, \$2,000;

In all, \$8,805.26, to be disbursed by the Clerk of the House.

For payments to contestants and contestees for expenses incurred in the contested-election cases of Sanders against Kemp, Fox against Higgins, Shanahan against Beck, Casey against Turpin, Brewster against Utterback, and Weber against Simpson, as audited and recommended by the Committee on Elections Numbered Three, respectively, as follows:

To J. Y. Sanders, Junior, contestant, \$1,634.18;

To Mrs. Bolivar E. Kemp, contestee, \$1,635.55;

To William C. Fox, contestant, \$2,000

To William L. Higgins, contestee, \$1,743.20; To James M. Beck, contestee, \$1,339.82;

To John J. Shanahan, contestant, \$817.75; To John J. Casey, contestant, \$2,000;

To C. Murray Turpin, contestee, \$1,999;

To John G. Utterback, contestee, \$2,000;

To Ralph O. Brewster, contestant, \$1,970.17; To Charles H. Weber, contestant, \$2,000;

To James Simpson, Junior, contestee, \$2,000; In all, \$21,139.67, to be disbursed by the Clerk of the House.

Compiling testimony in contested-election cases: For services in Compiling testimony mpiling, arranging for the printer, reading proof, indexing testical cases. compiling, arranging for the printer, reading proof, indexing testimony, stenography and typewriting, supervision of the work, and expenses incurred in the contested-election cases of the following Congresses, as authorized by the Act entitled "An Act relating to contested élections", approved March 2, 1887 (U.S.C., title 2, secs. 201-226):

For the Seventy-second Congress, \$500;

For the Seventy-third Congress, \$1,125.

Committee on Revision of the Laws: For the employment of com- Committee on Revision of the Laws petent persons to assist in continuing the work of compiling, codifying, and revising the laws and treaties of the United States, fiscal years 1934 and 1935, \$3,000.

For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (U.S.C., Supp. VI, title 1, sec. 59), fiscal year 1934, \$500, to be expended under the direction of the Committee on Revision of the Laws

on Revision of the Laws.

Vol. 24, p. 445 U.S.C , p. 14

72d Congress 73d Congress.

United States Code, new edition. Vol. 45, p. 1541. U.S.C., Supp. VII,

Telegraph and telephone service.

Proviso.

Deductions to be made for delinquencies.

Disposition of.

Architect of the Capitol.

Capitol Building. Relocating statues. Vol. 47, p. 1603.

Enlarging Capitol grounds. Vol. 45, p. 1694; Vol. 46, p. 1522; Vol. 47, p. 17.

Limit of cost in-

roviso. Removal of buildings. Vol. 47, p. 17.

Capitol Power Plant. Maintenance. Vol. 47, p. 1361.

Duplicate steam lines to new buildings. Balance available. Vol. 47, p. 1361.

For the preparation and editing of a new edition of the United States Code as authorized by the Act approved May 29, 1928, as amended by the Act approved March 2, 1929 (U.S.C., Supp. VI, title 1, sec. 52d), \$37,000, to remain available until expended.

Speaker's table. Speaker's Table: Commencing July 1, 1934, and continuing during Assistant Parliamentas such periods as the present incumbents occupy the positions, Assistant Parliamentarian and Assistant Parliamentarian of rian.

Salary of present in respectively, of Parliamentarian and Assistant Parliamentarian of cumbents increased.

U.S.C., Supp. VII, the House, the annual rates of compensation of such positions, as fixed by the Leoislative Pav Act of 1929 (U.S.C., Supp. VI, title 2, sec. by the Legislative Pay Act of 1929 (U.S.C., Supp. VI, title 2, sec. 60a), are hereby increased by the respective sums of \$1,500 and \$750; and such amounts are hereby appropriated for such purposes

for the fiscal year 1935.

Telegraph and telephone: For telegraph and telephone service, exclusive of personal services, fiscal year 1934, \$67,000: Provided, That whenever a Representative, Delegate, or Resident Commissioner, or a United States Senator, shall fail to pay any sum or sums due from such person to the House of Representatives or Senate, respectively, the appropriate committee or officer of the House of Representatives or Senate, as the case may be, having jurisdiction of the activity under which such debt arose, shall certify such delinquent sum or sums to the Sergeant at Arms of the House in the case of an indebtedness to the House of Representatives and to the Secretary of the Senate in the case of an indebtedness to the Senate, and such latter officials are authorized and directed, respectively, to deduct from any salary, mileage, or expense money due to any such delinquent such certified amounts or so much thereof as the balance or balances due such delinquent may cover. Sums so deducted by the Secretary of the Senate shall be disposed of by him in accordance with existing law and sums so deducted by the Sergeant at Arms of the House shall be paid to the Clerk of the House and disposed of by him in accordance with existing law.

OFFICE OF ARCHITECT OF THE CAPITOL

Capitol Building: The unexpended balance of the appropriation of \$2,500 for the removal and relocation of statues, contained in the Second Deficiency Act, fiscal year 1933, is hereby continued

available for the same purposes during the fiscal year 1935.
Enlarging the Capitol Grounds: For an additional amount for completing the enlargement and improvement of the Capitol Grounds in accordance with the Act entitled "An Act to provide for the enlarging of the Capitol Grounds", approved March 4, 1929, (45 Stat. 1694), to be available until expended, \$189,720.02; and the limit of cost fixed in such Act is increased by \$105,587.02 to complete the acquisition of property: *Provided*, That the unexpended balance of the appropriation of \$50,000 for the removal and demolition of structures in connection with the enlargement of the Capitol Grounds, contained in the First Deficiency Act, fiscal year 1932, is continued available until expended, for the same purposes and for the additional purposes of improvement and development.

Capitol Power Plant: For an additional amount for lighting, heating, and power for the Capitol, Senate, and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and so forth, including the same objects specified under this head in the Legislative Appropriation Act for the fiscal year 1934, \$55,100.

The unexpended balance of the appropriation contained in the Legislative Appropriation Act for the fiscal year 1933 and continued available by the Legislative Appropriation Act for the fiscal year 1934 for the installation of duplicate steam lines to new buildings,

clean-water intake screens and auxiliaries, and high-tension switching equipment, and so forth, is hereby continued and made available, together with an additional amount of \$25,000 for the same purposes, for the fiscal year 1935.

Senate Office Building: For an additional amount for maintenance, ing.

Senate Office Building: For an additional amount for maintenance, ing.

Maintenance, etc. including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, to provide for installation, replacement, and reconditioning of elevators, \$200,000, to be immediately available.

For an additional amount for maintenance, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, \$29,536, of which \$25,000 shall be expended for additional painting.

House Office Buildings: For an additional amount for mainteHouse Office Buildings: For an additional amount for mainteHouse Office Buildings:

House Office Maintenance.
Waintenance.
Vol. 47, p. 1361. nance, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, to provide for installation, replacement, and reconditioning of elevators, \$190,000, to be immediately available.

House Office Buildings: For an additional amount for maintenance, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, \$2,950, to be immediately

Library building and grounds: For an additional amount for necessary expenditures for the Library Building under the jurisdiction of the Architect of the Capitol, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1935, to provide for installation, replacement, and reconditioning of elevators, \$30,300, to be immediately available: Provided, Provised, Damon W. Harding, under his jurisdiction of Damon W. Harding, until June 30, 1936, Usl. 47, p. 404. Usl. Sc., Supp. VII, 48 notwithstanding any provision of the Act entitled "An Act for the p. 46. retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and any amendment thereof, prohibiting extensions of service after the age of retirement.

GOVERNMENT PRINTING OFFICE

For payment to Samuel Robinson, William Madden, Preston L. Designated mes gers on night duty. George, and William S. Houston, messengers on night duty during the second session of the Seventy-third Congress, \$900 each; in all, \$3,600, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1934.

INDEPENDENT OFFICES

AVIATION COMMISSION

For five commissioners and for all other authorized expenditures penses for carrying into effect section 20 of the Act entitled "An Act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy", approved June 12, 1934, to be available during the fiscal year 1935, \$75,000.

CHICAGO WORLD'S FAIR CENTENNIAL CELEBRATION

For the purpose of carrying into effect the provisions of the Act entitled "An Act to amend an Act entitled 'An Act providing for 70%. the participation of the United States in A Century of Progress (the Chicago World's Fair Centennial Celebration) to be held at Chicago, Illinois, in 1933, authorizing an appropriation therefor, and for other purposes', approved February 8, 1932, to provide for 86637°-34---65

Senate Office Build-

Additional. Ante, p. 827.

Painting.

House Office Build-

Elevators.

Additional.

Library building and grounds.

Elevators.

Government Printing Office. messen-

Independent Offices.

Aviation Commission. Salaries and ex-Ante, p. 933.

Chicago World's Fair Centennial Celebration.
Participation, etc.
Vol. 47, pp. 39, 645,

1026

73d CONGRESS. SESS. II. CH. 648. JUNE 19, 1934.

Ante, p. 785.

Travel and expenses. Balance continued available. Vol. 47, p. 645.

participation in A Century of Progress in 1934, to authorize an appropriation therefor, and for other purposes", approved May 21, 1934, and for each and every object authorized by said Act, including travel expenses, and subsistence at not to exceed \$5 per day, \$175,000, together with the unexpended balance of the appropriation for the Chicago World's Fair Centennial Celebration held in 1933 as contained in the Act making appropriations for the Department of Agriculture for the fiscal year 1933, to remain available until June 30, 1935.

Civil Service Commission.

CIVIL SERVICE COMMISSION

and Salaries expenses.

Salaries and expenses: For an additional amount for personal services and other expenses, including the same objects specified under this head in the Independent Offices Appropriation Act, 1935, \$300,000.

Printing and binding.

Printing and binding: For an additional amount for printing and binding, including the same objects specified under this head in the Independent Offices Appropriation Act, 1935, \$34,000.

Federal Trade Com-mission.

FEDERAL TRADE COMMISSION

Additional, for dairy roducts investigaproducts in tions. Ante, p. 513.

For an additional amount for the Federal Trade Commission, including the same objects specified under this caption in section 1, title I, Independent Offices Appropriation Act, 1935, to enable the Commission to comply with the provisions of H.Con.Res. 32 of the Seventy-third Congress, fiscal year 1935, \$30,000.

General Accounting Office.

GENERAL ACCOUNTING OFFICE

Expenditures, etc., of governmental agencies.

To enable the General Accounting Office to employ personnel to examine and settle claims and to audit and settle the accounts of receipts and expenditures of governmental agencies, including governmental corporations created after March 3, 1933, and to make current the audit of Postal Money Order and Postal Savings Accounts, including rent in the District of Columbia, printing and binding, office equipment and supplies, traveling expenses and other Contingent expenses. necessary contingent and miscellaneous expenses, fiscal years 1934 and 1935, \$1,000,000: Provided, That persons employed hereunder Proviso.
Temporary employ may be appointed for temporary service for a period not in excess of six months, without regard to civil service rules and regulations.

counts.

National Archives.

NATIONAL ARCHIVES

Administration, etc. Post, p. 1122.

For carrying out the provisions of the Act entitled "An Act to establish a National Archives of the United States Government, and for other purposes", approved June , 1934, fiscal year 1935. \$50,000.

Securities Exchange Commission.

SECURITIES EXCHANGE COMMISSION

Administration expenses.

Ante, p. 881. Ante, p. 74.

For the purpose of administering the provisions of the Securities Exchange Act of 1934 and the Securities Act of 1933 (including, among other things, expenditures for personal services and rent at the seat of government and elsewhere, for law books and books of reference, newspapers and periodicals, and for paper, printing, and binding), fiscal year 1935, \$300,000.

Smithsonian Institu-

SMITHSONIAN INSTITUTION

American Historical Association report.

For printing and binding two volumes of that portion of the Annual Report of the American Historical Association devoted to the bibliography, Writings on American History, in the same style and edition as the annual report volumes have heretofore been published, fiscal year 1935, \$8,000, to be immediately available.

TARIFF COMMISSION

Salaries and expenses: The unobligated balance of the appropriation of \$785,000 for salaries and expenses of the United States Tariff Commission, 1934, contained in the Independent Offices Appropriation Act, 1934, is hereby continued available for the fiscal Appropriation Act, 1934, is nereby continued a manual which may year 1935, and the limitation of \$725,000 on the amount which may services increased.

Amount for per year 1935, and the limitation of \$725,000 on the amount which may services increased.

Amount for per year 1935, and the limitation of \$725,000 on the amount which may services increased. be expended for personal services in the District of Columbia, contained in the Independent Offices Appropriation Act, 1935, under this head, is hereby increased to \$750,000.

Printing and binding: The unobligated balance of the appropriation of \$15,000 for printing and binding for the Tariff Commission, 1934, contained in the Independent Offices Appropriation Act, 1934, is hereby continued available for the fiscal year, 1935.

Tariff Commission.

Salaries and expenses. Balance continued. Ante, p. 297.

Amount for personal

Printing and binding. Balance continued. Ante, p. 297.

UNITED STATES SUPREME COURT BUILDING COMMISSION

United States Supreme Court Building: The Architect of the Capitol, under the direction of the United States Supreme Court Building Commission, is hereby authorized to provide furnishings for the United States Supreme Court Building, and the appropriation and again and the appropriation and again and the suprement of such tions heretofore made for construction and equipment of such building are hereby made available for the furnishing thereof.

Supreme Court Building Commission.

Furnishings, etc. Vol. 46, p. 51. Ante, p. 297.

DISTRICT OF COLUMBIA

District of Columbia.

CONTINGENT AND MISCELLANEOUS EXPENSES

Judicial expenses: For an additional amount for judicial expenses, including witness fees, and expert services in District cases before the Supreme Court of said District, for the fiscal years that follow:

For 1933, \$1,583;

For 1934, \$574.

General advertising: For an additional amount for general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, fiscal year 1932, \$319.92.

General advertising: For an additional amount for general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, fiscal year 1934, \$682: Provided, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the papers. District of Columbia, notwithstanding the requirement of such advertising provided by existing law.

Advertising notice of taxes in arrears: For an additional amount for advertising notice of taxes in arrears July 1, 1933, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, fiscal year 1934, \$7,895.14.

Judicial expenses.

Advertising.

Proviso. Notices in local news-

Taxes in arrears. Vol. 30, p. 250.

PUBLIC SCHOOLS

Fuel, and so forth: For an additional amount for fuel, gas, and electric light and power, fiscal year 1934, \$8,000.

Public schools.

Fuel, etc.

Police.

METROPOLITAN POLICE

officers and members of the Metropolitan Police Force, in accordance 46, p. 839. with the Act entitled "An Act to fix the salaries of the Metropolitan Police Force, in accordance 46, p. 839. Police Force, the United States Park Police Force, and the fire department of the District of Columbia" (43 Stat., pp. 174-175), as

Assistant clerk.

property amended by the Act of July 1, 1930 (46 Stat., pp. 839-841), including compensation at the rate of \$2.100 per annum for the present assistant property clerk of the police department, fiscal year 1934, \$55,000.

Health Department.

HEALTH DEPARTMENT

Garfield Hospital, isolating wards.

For additional amounts for isolating wards for minor contagious diseases at Garfield Memorial Hospital for the fiscal years that follow:

For 1933, \$849.75; For 1934, \$11,000.

Courts and prisons.

COURTS AND PRISONS

Police Court.

Police court: For an additional amount for witness fees, fiscal year 1932, \$6.75.

Municipal Court.

Municipal court: For an additional amount for compensation of jurors, fiscal year 1934, \$125.

of

Supreme Court, District of Columbia: For an additional amount

Supreme Court District of Columbia.

for salaries, fiscal year 1934, \$15,220.

Jurors and witnesses. fees

Fees of jurors and witnesses: For an additional amount for mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised

R.S., sec. 850, p. 160.

Statutes, fiscal year 1934, \$8,000. Court of Appeals, District of Columbia: For an additional

Court of Appeals.

amount for salaries, fiscal year 1934, \$9,900. Writs of lunacy: For an additional amount for expenses attend-

Lunacy writs. Expenses of executing. Vol. 33, p, 740.

ing the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committeed 1 to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, including personal services, for the fiscal years that follow:

For 1932, \$225; For 1933, \$1,931.83.

Public welfare.

PUBLIC WELFARE

National Training School for Boys.

National Training School for Boys: For an additional amount for care and maintenance of boys committee to the National Training School for Boys by the courts of the District of Columbia under a contract made by the Board of Public Welfare with the authorities of said National Training School for Boys, for the fiscal years that follow:

For 1932, \$1,186.71; For 1933, \$5,936.72;

For 1934, \$38,000.

institutions.

Medical charities. Medical charities: For an additional amount for care and treat-cations at designated ment of indigent patients under contracts made by the Board of Medical charities: For an additional amount for care and treat-Public Welfare with the following institutions for the following fiscal years and for not to exceed the following amounts, respectively:

Children's Hospital, 1933, \$8,512; 1934, \$25,000; in all, \$33,512; Central Dispensary and Emergency Hospital, 1934, \$11,000. Eastern Dispensary and Casualty Hospital, 1934, \$12,000. Nonresident insane: For an additional amount for deportation of nonresident insane persons, in accordance with the Act of Connonresigress entitled "An Act to change the proceedings for admission to

Deporting n dent insane. Vol. 30, p. 811.

¹ So in original.

the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, fiscal

year 1934, \$2,675.

Burial of ex-service men: For an additional amount for burying service men. Burial of indigent exint the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been becaused in the district of the Columbia of the Columb teer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding \$45 for such burial expenses in each case, exclusive of cost of grave, fiscal year 1934, \$225.

WATER SERVICE

Water service.

For an additional amount for construction of a booster pumping plant at Dalecarlia Reservoir inlet, including equipment, fiscal years let. 1934 and 1935, \$43,500, to be paid wholly out of the revenues of the Water Department of the District of Columbia.

SETTLEMENT OF CLAIMS

For the payment of claims approved by the Commissioners under and suits. Settlement of claims and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat., 1160), as amended by the Act approved 46, p. 500. June 5, 1930 (46 Stat., 500), and reported in Senate Document Numbered 184 and House Documents Numbered 329 and 366, Seventythird Congress, \$47,585.32.

REFUND OF ASSESSMENTS

For payment of refunds of assessments for paving streets, avenues, Paying refunds of and roads, and laying curbs, as authorized by the provisions of ments. section 11 of the Act entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters", approved February 20, 1931 (46 Stat., 1199), fiscal years 1934 and 1935, \$7,164.65.

Vol. 46, p. 1199.

JUDGMENTS

For the payment of final judgments, including costs, rendered Payment of judgagainst the District of Columbia, as set forth in House Document Numbered 359, Seventy-third Congress, \$12,358.86, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

AUDITED CLAIMS

Audited claims.

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), being for the service of the fiscal year 1931 and prior fiscal years:

Payment of. Vol. 18, p. 110. U.S.C., p. 1022.

For expenses, free public library, District of Columbia, 1931, maintenance, \$2.50;

For contingent and miscellaneous expenses, District of Columbia, 1931, judicial expenses, \$100;

For contingent and miscellaneous expenses, District of Columbia, 1931, general advertising, \$10.50;

For motor vehicles, District of Columbia, 1931, maintenance, care, repair, and operation, \$1.20;
For extension, and so forth, of streets and avenues, District of Columbia, 1931, \$182.25;

For public schools, District of Columbia, 1931, science laboratories,

For fees of witnesses, Supreme Court, District of Columbia, 1931,

For miscellaneous expenses, Supreme Court, District of Columbia,

1931, \$1,068.34;

For water department, District of Columbia, 1931, installing and repairing water meters, \$31.30;

For extension, and so forth, of streets and avenues, District of Columbia, 1930, \$297.81;

For collection and disposal of refuse, District of Columbia, 1930, \$3.44;

For school building and playground sites, District of Columbia, 1930, \$7.20;

For writs of lunacy, District of Columbia, 1930, \$240;

For miscellaneous expenses, Supreme Court, District of Columbia, 1930, \$420;

For support of prisoners, District of Columbia, 1930, \$71.82;

For relief of the poor, District of Columbia, 1930, \$38;

For public schools, District of Columbia, 1929 and 1930, contingent expenses, miscellaneous, \$38.78;

For electrical department, District of Columbia, 1929, lighting,

65 cents;

For motor vehicles, District of Columbia, 1928, maintenance and

repair, \$25.30;

For extension, and so forth, of streets and avenues, District of Columbia, 1928, \$15;

For expenses, trees and parkings, District of Columbia, 1928, \$3.40; For municipal court, District of Columbia, 1928, compensation of jurors, \$28;

For miscellaneous expenses, Supreme Court, District of Columbia,

1927, \$3,295;

For public schools, District of Columbia, 1926 and 1927, repairs to

buildings, \$3.60;

For policemen and firemen's relief funds, Act April 13, 1926, \$66.50;

For Court of Appeals reports, District of Columbia, 1924, \$71.50; For streets, District of Columbia, 1923, \$1.02;

In all, audited claims, \$6,030.55.

Division of expenses.

DIVISION OF EXPENSES

From District reve-

Fiscal years 1921-924.

1925-1935.

The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid as follows: Such sums as relate to the fiscal years 1921 to 1924, inclusive, 60 per centum out of the revenues of the District of Columbia and 40 per centum out of the Treasury of the United States; and such sums as relate to the fiscal years 1925 to 1935, inclusive, jointly or severally, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for such respective fiscal years.

DEPARTMENT OF AGRICULTURE

MISCELLANEOUS EXPENSES

Rent of buildings: For an additional amount for rent of buildings and parts of buildings in the District of Columbia, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1934, \$17,296.

OFFICE OF EXPERIMENT STATIONS

cultural Appropriation Act for the fiscal year 1933, approved July available. 7, 1932, for salaries and general expenses, Office of Experiment Stations, including the salaries of employees appointed from 11. tions, including the salaries of employees appointed from the continental United States of the discontinued experiment stations in Alaska, Guam, and the Virgin Islands during such leave as might be granted them under the "leave" Acts cited in such Appropriation Act, is hereby made available for the payment of compensation in lieu of such leave to such designated employees as remained without Federal employment subsequent to the discontinuance of their stations for a period or periods aggregating at least a year.

FOREST SERVICE

Fighting forest fires: Not to exceed \$412,000 of the unexpended balances of the appropriations for "Salaries and expenses", Forest Service, fiscal year 1934, may be transferred to the subappropriation "Salaries and expenses, Forest Service, fighting forest fires", fiscal year 1934, to meet obligations and expenditures incurred in fighting and preventing forest fires, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal

Forest-fire cooperation: For an additional amount for cooperation fire prevention. with the various States or other appropriate agencies in forest-fire prevention and suppression, including the same objects specified under this head in the Agricultural Department Appropriation Act of 1935, \$225,000.

BUREAU OF BIOLOGICAL SURVEY

Administration and enforcement of Federal Hunting Stamp Act: For carrying into effect the provisions of subsections (b) and (c) of section 4 of the Act entitled "An Act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934 (Public, Numbered 124, Seventy-third Congress), the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, advance to the Secretary of Agriculture \$150,000, to be immediately available, and to remain available until June 30, 1935, of which amount not to exceed \$20,760 may be expended for personal services in the District of Columbia, and not to exceed \$8,450 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: Provided, That the amount so advanced shall be reimbursed and covered into the Treasury as "miscellaneous receipts" from the first \$150,000 of revenue accruing in the Migratory Bird Conservation Fund from the sale of stamps.

Department of Agri-culture.

Miscellaneous penses.

Rent.

Experiment Stations
Office

Forest Service.

Fighting forest fires. Vol. 47, p. 1446.

Fund available.

Biological Survey Bureau.

Federal Hunting Stamp Act, administration, etc.

Ante, p. 451.

Services in the Dis-

Motor vehicles.

Proviso. Advances reim-bursed and covered in. Chemistry and Soils Bureau.

BUREAU OF CHEMISTRY AND SOILS

Chemical investiga-

Agricultural chemical investigations: For an additional amount for agricultural chemical investigations, fiscal year 1935, including the same objects specified under this head in the Agricultural Department Appropriation Act of 1935, \$7,500.

Public Roads Bu-reau.

BUREAU OF PUBLIC ROADS

Thomas Jefferson Memorial Foundation, roadways. Post, p. 1057.

For the construction of roads within the grounds of the Thomas Jefferson Memorial Foundation at Monticello, near Charlottesville, Virginia, fiscal year 1935, \$30,000.

Agricultural nomics Bureau.

BUREAU OF AGRICULTURAL ECONOMICS

Collecting data for use in foreign trade promotion.

Ante, p. 943.

To enable the Secretary of Agriculture to collect and analyze economic data on agricultural products for use in carrying into effect the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934 (Public, Numbered 316, Seventy-third Congress), including the employment of persons and means in the District of Columbia and elsewhere, printing, and other necessary expenses, fiscal year 1935, \$47,670.

Department of Com-

DEPARTMENT OF COMMERCE

Secretary's office.

OFFICE OF THE SECRETARY

Contingent expenses.

Contingent expenses, Department of Commerce: For an additional amount for the same objects specified under this head in the Department of Commerce Appropriation Act, 1935, \$2,000.

Aircraft in commerce.

AIRCRAFT IN COMMERCE

Air navigation facili-

Air-navigation facilities: For an additional amount for airnavigation facilities, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1935, \$306,550.

Foreign and Domes-tic Commerce Bureau.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Foreign trade restric-tions, investigations.

Investigation of foreign-trade restrictions: For an additional amount for salaries and expenses, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1935, \$45,210, of which amount not to exceed \$44,712 may be expended for personal services in the District of Columbia.

Customs statistics.

Customs statistics: For an additional amount for salaries and expenses, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1935, \$11,580.

Allowance for quar-

Allowance for quarters, Foreign Commerce Service: For an additional amount for the same purposes specified under this head in the Department of Commerce Appropriation Act, 1935, \$57,060.

Lighthouses Bureau.

BUREAU OF LIGHTHOUSES

Retired pay.

Retired pay: For an additional amount for retired pay of officers and employees of the Lighthouse Service, including the same objects specified under this head in the Act making appropriations for the Department of Commerce for the fiscal year 1934, \$7,500.

Fisheries Bureau.

BUREAU OF FISHERIES

Propagation of food

Propagation of food fishes: For an additional amount for the Columbia River Ba- same objects specified under this head in the Department of Commerce Appropriation Act, 1935, to be expended in the Columbia River Basin, \$9,650.

Inquiry respecting food fishes: For an additional amount for the same objects specified under this head in the Department of Commerce Appropriation Act, 1935, to be expended in the Columbia River Basin, of which amount not to exceed \$11,615 may be expended for salaries of permanent employees, \$24,140.

Inquiry respecting.

DEPARTMENT OF THE INTERIOR

Department of Interior.

OFFICE OF THE SECRETARY

Secretary's office.

Division of Investigations: Not to exceed \$5,000 of the appropriation. Unforeseen emergention. Salaries and expenses, Division of Investigations, Department of the Interior, 1935. shall be available to meet unforeseen emergencies of a confidential character, to be expended under the direction. of the Secretary of the Interior, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bu-

Indian supplies.

Ante, p. 960.

Purchase and transportation of Indian supplies: For an additional amount for expenses of purchase and transportation of goods and supplies for the Indian Service, fiscal year 1933, \$117,500.

Navajo Indians, Ariz. Purchase of land,

Purchase of land for the Navajo Indians, Arizona, reimbursable: For the purchase of land, and improvements thereon, including water etc. rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (Public Numbered 352, Seventy-third Congress), \$481,879.38, reimbursable.

Middle Rio Grande conservancy district, New Mexico (reimbursable): To complete payment to the Middle Rio Grande conservancy district, New Mexico (reimbursable): To complete payment to the Middle Rio Grande conservancy district in accordance with the provisions of the Act entitled "An Act authorizing the Secretary of the Interior to execute an agreement with the Middle Rio Grande conservancy district providing for conservation, irrigation, drainage, and flood control for the Pueble Indianal." for conservation, irrigation, drainage, and flood control for the Pueblo Indian lands in the Rio Grande Valley, New Mexico, and for other purposes", approved March 13, 1928 (45 Stat., 312), fiscal years 1934 and 1935, \$400,000, or so much thereof as may be necessary, reimbursable as provided in such Act.

tan. Irrigation system. Vol. 34, p. 375.

Irrigation system, Uintah Reservation, Utah (tribal funds): Uintah Reservation, For an additional amount for continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompangre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., 375), fiscal year 1934, \$7,000, to be paid from tribal funds held by the United States in trust for said Indians and to be reimbursed to the tribal funds by the individuals benefited under such rules and regulations as may

From tribal funds.

be prescribed by the Secretary of the Interior.

Medical relief in Alaska: For an additional amount to meet outstanding obligations in excess of the appropriations for medical relief in Alaska for the fiscal years 1929 and 1930, \$28.

Medical relief in

The Creek Nation: The appropriation of \$144,106.01 contained in section 4, title I, of this Act for payment of a judgment rendered by the Court of Claims in favor of the Creek Nation shall be placed to the credit of the Creek Nation on the books of the Treasury Department and such sum is hereby appropriated and, after deducting the attorneys' fees and expenses allowed by the Court of Claims and the estimated expenses of making the roll and the payment herein provided for, shall be paid by the Secretary of the Interior

Creek Nation. Post, p. 1046. Paying judgment. per capita to the members of the Creek Tribe of Indians entitled thereto or their heirs, upon a roll made as of date of December 4, 1933, under the direction of and approved by the Secretary of the Interior.

Reclamation Service.

RECLAMATION SERVICE

Sun River project, tion charges.

Refund of construction charges: For refund of construction Refund of construct charges heretofore paid on permanently unproductive land designed on the construction of c nated "Farm Unit F", in section 32, township 21 north, range 1 west, Sun River project in Montana, and excluded from said project in accordance with sections 42 and 44 of the Act approved May 25, 1926 (44 Stat. 636), \$335.40, payable from the reclamation fund.

North Platte project, Nebraska-Wyoming: Not to exceed \$6,000

Vol. 44, p. 636.

from power revenues allocated to the Northport Irrigation District under subsection I, section 4, of the Act of December 5, 1924 (43 Stat. 703), shall be available during the fiscal year 1935 for payment on behalf of the Northport Irrigation District, to the farmers' irrigation district for carriage of water for the Northport district under contract of August 10, 1915, between the United States and the farmers' irrigation district.

North Platte project, Nebr.-Wyo. Use of power revenues for Northport dis-

National Park Service.

NATIONAL PARK SERVICE

Public buildings outside the District.

Salaries and expenses, public buildings outside of the District of Columbia: For an additional amount for salaries and expenses for administration, protection, and maintenance of public buildings outside the District of Columbia, including personal services at rates of compensation not in excess of the rates current in the place where such services are employed, fiscal year 1934, \$13,000.

Office of Education

OFFICE OF EDUCATION

Federal Board for Vocational Education.

Ante, p. 792.

Federal Board for Vocational Education: For carrying out the provisions of section 1 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved May 21, 1934 (Public, Numbered 245, Seventy-third Congress), fiscal year 1935, \$3,084,603;

Salaries and expenses: For carrying out the provisions of section 2 of the Act entitled "An Act to provide for the further land".

Salaries and ex-

2 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved May 21, 1934 (Public, Numbered 245, Seventy-third Congress), fiscal year 1935, \$60,000.

Government in the Territories.

GOVERNMENT IN THE TERRITORIES

Care of insane, Alaska, Vol. 47, p. 853.

Insane of Alaska: For an additional amount for care and custody of persons legally adjudged insane in Alaska, including the same objects and for the same services specified in the Interior Department Appropriation Act for the fiscal year 1934, \$9,300.

Howard University

HOWARD UNIVERSITY

General expenses. Vol. 47, p. 857.

For an additional amount for general expenses, Howard University, fiscal year 1932, including the same objects specified under this head in the Interior Department Appropriation Act, fiscal year 1932, \$895.55, which sum shall be paid from any unexpended balance in the appropriation "Howard University, 1934."

DEPARTMENT OF JUSTICE

Department of Justice.

OFFICE OF THE ATTORNEY GENERAL

Salaries, Department of Justice: For an additional amount of salaries, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, \$250,000: Provided, That of this amount \$160,000 shall be available only for transfer in addition to transfers authorized by priations. existing law to any other appropriation or appropriations under the Department of Justice not to exceed 25 per centum of the appropriation to which transfer is made, when approved by the Director of the Budget.

Payment of rewards: For payment of rewards for the capture of anyone charged with violation of criminal laws of the United States or any State or the District of Columbia and/or for information leading to the arrest of any such person, as authorized by the Act approved June 6, 1934, fiscal year 1935, to be immediately available,

For an additional amount for traveling and miscellaneous expenses, neous. Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, \$25,000.

CONTINGENT EXPENSES, DEPARTMENT OF JUSTICE

For additional amounts for contingent expenses, Department of Justice, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1930, \$1.79; For 1932, \$43.02.

For an additional amount for printing and binding for the Department of Justice and the courts of the United States, fiscal year 1930, \$117.76.

For an additional amount for printing and binding for the Department of Justice and the courts of the United States, fiscal year 1932, \$293.74.

For rent of buildings and parts of buildings in the District of Columbia, fiscal year 1935, \$36,683.

DIVISION OF INVESTIGATION

Salaries and expenses: Not to exceed \$20,000 of the appropriation "Salaries and expenses, Division of Investigation, 1935", shall be available to meet unforeseen emergencies of a confidential character, cless to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

For an additional amount for salaries and expenses, Division of Investigation, for the detection and prosecution of crimes, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, and including also the purchase at not to exceed \$7,000 each, exchange, maintenance, upkeep, and operation of armored automobiles; purchase, exchange, maintenance, and upkeep of motor-propelled passenger-carrying vehicles, to be used only on official business; and not to exceed \$80,000 for personal services in the District of Columbia; to be immediately available, \$1,500,000.

Proviso. Transfers of appro-

Payment of rewards.

Ante, p. 910.

Contingent expenses.

Printing and binding.

Rent.

Investigation Divi-

Salaries, etc.

Unforeseen emergen-

Detection and prose-cution of crimes.

Motor vehicles.

Accounts Division.

DIVISION OF ACCOUNTS

Salaries and expenses,

Salaries and expenses, Division of Accounts: For an additional amount for personal services, and expenses of the Division of Accounts in the District of Columbia, fiscal year 1935, \$22,570.

Antitrust and kindred laws.

ENFORCEMENT OF ANTITRUST AND KINDRED LAWS

Enforcement of.

For an additional amount for enforcement of antitrust and kindred laws, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, and including also additional personal services in the District of Columbia, to be immediately available, \$125,000.

United States Supreme Court.

UNITED STATES SUPREME COURT

Custody, etc., building.

Ante, p. 668.

United States Supreme Court Building and Grounds: For custody and maintenance for the fiscal year ending June 30, 1935, as authorized by the Act entitled "An Act to provide for the custody and maintenance of the United States Supreme Court Building and the equipment and grounds thereof", approved May 7, 1934, as follows:

Domestic care under the marshal: For personal services, exclusive

Domestic care, un-der the marshal.

of any librarian service, \$25,830; for supplies and materials, uniforms and equipment for employees, telegraph and telephone, advertising, transportation, repairs, and such other miscellaneous and incidental expenses as may be necessary to the duties imposed upon the marshal by such Act, \$15,000; in all, \$40,830.

Mechanical care of building and care of grounds.

Structural and mechanical care of the building and care of the grounds under the Architect of the Capitol: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by such Act, including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, and personal and other services, \$30,348.

United States courts.

MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals.

Salaries, fees, and expenses of marshals: For an additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, \$6,537.81.

Additional.

For an additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, 1935, \$100,000.

Clerks.

Salaries and expenses of clerks, United States courts: For an additional amount for salaries and expenses of clerks, United States courts, including the same objects specified under this head in the

Commissioners.

Department of Justice Appropriation Act, 1935, \$75,000. Fees of commissioners: For additional amounts for fees of commissioners, United States courts, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1922, \$5;

For 1925, \$10; For 1930, \$4,105.75; For 1931, \$7,065.37; For 1932, \$14.258.52;

For 1933, \$25,684.33.

Fees of jurors and witnesses: For an additional amount for fees of jurors and witnesses, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, \$1,116.58.

Miscellaneous expenses: For an additional amount for miscellaneous, expenses, United States courts, including the same objects specified under this head in the Act making appropriations for the

Department of Justice for the fiscal year 1930, \$465.99. Supplies for United States courts: For additional amounts for supplies for United States courts, including the same objects speci-

fied under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1931, \$136.55; For 1932, \$180.63; For 1935, \$15,000.

Books for judicial officers: For an additional amount for books officers. for judicial officers, including the same objects specified under this head in the Act making appropriations for the Department of Justice

for the fiscal year 1931, \$24.26.

Compensation of special master in case of United States against Northern Pacific Railway Company, and others: For payment of one half of the total compensation of the special master in the case of United States against Northern Pacific Railway Company, and others, in accordance with the order of the United States District Court for the Eastern District of Washington Acted Lawrence Court for the Eastern District of Washington, dated January 25, 1934, \$12,500.

Jurors and witnesses.

Miscellaneous.

Supplies.

PENAL AND CORRECTIONAL INSTITUTIONS

Penal, etc., institu-tions.

Support of United States prisoners: For additional amounts for support of United States prisoners, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

For 1924, \$978.58; For 1929, \$218.44; For 1935, \$75,000. Support of prisoners.

NAVY DEPARTMENT

Navy Department.

SECRETARY'S OFFICE

Secretary's office. Damage claims.

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels, approved December 28, 1922 (U.S.C., title 34, sec. 599), as fully set forth in Senate Document Numbered 214 and House Document Numbered 328, Seventy-third Congress, except item numbered 6, page 4, of such document in favor of the Panama Railroad Company, \$15,126.33.

Vol. 42, p. 1066. U.S.C., p. 1127.

Naval station, island of Guam: For an additional amount for leper maintenance and care of lepers, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1933, \$808.67.

Guam, care, etc., of

BUREAU OF NAVIGATION

Bureau of Naviga-

Transportation: For travel allowance, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1923, \$15.85.

Transportation.

Bureau of Supplies and Accounts.

BUREAU OF SUPPLIES AND ACCOUNTS

Pay, subsistence, and ansportation.
Limitation raised.

Pay, subsistence, and transportation, Navy: The limitation on expenditures for "transportation of dependents of officers and enlisted men of the Navy" under the appropriation "Pay, subsistence, and transportation, Navy", for the fiscal year 1933, is hereby increased from \$450,000 to \$500,000.

Anne E. Richardson, Vol. 47, p. 1740.

Relief of Anne E. Richardson: For payment to Anne E. Richardson, widow of Jack C. Richardson, of expenses incurred while traveling around the world on the German airship Graf Zeppelin,

Elmo K. Gordon. Vol. 47, p. 1739.

as authorized in the Act approved March 2, 1933, \$143.04.

Relief of Elmo K. Gordon: For payment to Elmo K. Gordon of one year's back pay as authorized in the Act approved March 2, 1933, \$648.

Ruth McCarn. Vol. 47, p. 1736.

Payment to Ruth McCarn: For payment to Ruth McCarn of an amount equal to six months' pay of her son, the late John Bush Watson, seaman, United States Navy, as authorized in the Act approved March 1, 1933, \$126.

Post Office Depart-

POST OFFICE DEPARTMENT

Postal Service.

(Out of the postal revenues)

Chief Inspector's of-

OFFICE OF CHIEF INSPECTOR

Payment of rewards.

Rewards: For an additional amount for payment of rewards, including the same objects specified under this head in the Act making appropriations for the Post Office Department for the fiscal year 1933, \$4,900.

Department of State.

DEPARTMENT OF STATE

Secretary's office.

OFFICE OF THE SECRETARY OF STATE

Salaries. Ante, p. 529.

Salaries: For an additional amount for salaries, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1935, \$94,720, to be expended

Contingent expenses. Ante, p. 529.

by the Secretary of State without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended.

Contingent expenses: For an additional amount for contingent expenses, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1935, \$4,000.

Promotion of foreign

Promotion of foreign trade: For the purpose of carrying into effect the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934, including personal services, stenographic reporting services, by contract if R.S., Sec. 3709, p. 733. deemed necessary, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5), contingent expenses, printing and binding, and such other expenses as the President may deem necessary, fiscal year 1935, \$75,000.

Salaries, Foreign Service officers while receiving instructions and in transit: For an additional amount for salaries, Foreign Service officers while receiving instructions and in transit, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1934, \$20,000.

Foreign Service, in-struction and transit pay.

> Transportation of Foreign Service officers: For an additional amount for transportation of Foreign Service officers, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1934, fiscal years 1934 and 1935, \$37,500.

Transportation.

Vol. 47, p. 1374. Ante, p. 531.

Allowance to widows or heirs of Foreign Service officers who die Allowances to widows or heirs. abroad: For additional amounts for allowance to widows or heirs of Foreign Service officers who die abroad, including the same objects specified under this head in the Acts making appropriations for the Department of State for the following fiscal years:

For 1930, \$44.43; For 1933, \$316.86.

Payment to Harriet C. Holoday: For payment to Harriet C. Holoday, widow of Ross E. Holoday, late American Consul at Manchester, England, of one year's salary of her deceased husband, who died while in the Foreign Service, as authorized by the Act approved May 21, 1934, \$6,000.

Harriet C. Holoday. Post, p. 1360.

Reimbursement of Stelio Vassiliadis: For reimbursement of Stelio Vassiliadis for expenditures made by him as Vice Consul of Spain at Kiev, Russia, in representing the interests of the United States at that post from March 1, 1918, to the end of February 1920, as authorized by the Act approved June 6, 1934, \$406.53.

Stelio Vassiliadis. Post, p. 1371.

Bringing home criminals: For an additional amount for bringing home criminals, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1933, \$304.

Bringing home criminals. Vol. 47, p. 487.

Relief and protection of American seamen: For an additional Relief, etc., A Relief and protection of American seamen including the Vol. 47, p. 1375. amount for relief and protection of American seamen, including the same objects specified under this head in the Act making appropria-

Relief, etc., Amer-

tions for the Department of State for the fiscal year 1934, \$12,500.

Waterways Treaty, United States and Great Britain; International Joint Commission, United States and Great Britain: For Vol. 36, p. 2448. completing necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including the same objects specified under this head in the Department of State Appropriation

Act, 1935, \$17,555.

Rainy Lake reference: For an additional amount for Rainy Rainy Lake ence, 1929-1930.

Continuous 1930 and 1930 including the same objects Vol. 45, p. 1651. Lake reference, fiscal years 1929 and 1930, including the same objects specified under this head in the Second Deficiency Act, fiscal year 1929, \$9.37.

Rainy Lake refer-nce, 1929-1930.

International Institute of Agriculture, Rome, Italy: For the expenses of participation by the United States in the International Institute of Agriculture at Rome, Italy, as authorized by the convention of June 7, 1905, including the salary of the American member of the permanent committee at not to exceed \$7,500 per annum; compensation of subordinate employees without regard to the Classification Act of 1923, as amended; expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic); printing and binding; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved U.S. June 26, 1930 (U.S.C., Supp. VI, title 5, sec. 118a), for the use of p. 20. the American member of the permanent committee; and traveling expenses; to be expended under the direction of the Secretary of State, fiscal year 1935, \$11,935.

International Insti-

For an additional amount for the payment of the contribution of the United States, including the Territory of Hawaii, and the dependencies of the Philippine Islands, Puerto Rico, and the Virgin Islands, toward the support of the International Institute of Agriculture at Rome, Italy, fiscal year 1935, \$31,656, together with such additional sum due to increases in rates of exchange as may be necessary to pay in foreign currency the contribution required by the protocol to the convention between the United States and other powers for the creation of an International Institute of Agriculture.

Vol. 46, p. 818. U.S.C. Supp. VII,

Contribution.

International Prison Commission.

International Prison Commission: For subscription of the United

Industrial Property Convention.

States as an adhering member of the International Prison Commission, fiscal year 1934, \$4,075. International Conference for Revising the Industrial Property

Vol. 47, p. 1789.

Convention, London, England: For the expenses of participation by the United States in the International Conference for the Purpose of Revising the Industrial Property Convention signed at The Hague, November 6, 1925, to be held in London, England, in 1934, including personal services without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere; stenographic reporting and translating services by contract if

R.S., sec. 3709, p. 733. U.S.C., p. 1309.

deemed necessary, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled, passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State including the reimburgment of such by the Secretary of State, including the reimbursement of such expenditures as may have been made from other appropriations

International Technical Consulting Committee on Radio Communications.

and expenditures incurred subsequent to March 31, 1934, for the purposes herein specified, fiscal years 1934 and 1935, \$8,000.

International Technical Consulting Committee on Radio Communications, Lisbon, Portugal: For the expenses of participation by the United States in the International Technical Consulting Committee on Radio Communications, to be held in Lisbon, Portugal, in 1934, including personal services without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal years 1934 and 1935, \$16,000.

R.S., sec. 3709, p. 733, U.S.C., p. 1309.

Third Pan American Financial Conference.

Third Pan American Financial Conference, Santiago, Chile, and Commercial Conference, Buenos Aires, Argentina: For the expenses of participation by the United States in the Third Pan American Financial conference, at Santiago, Chile, and in the Commercial Conference, at Buenos Aires, Argentina, including personal services without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5); rent; traveling expenses (and by indirect routes if specifically authorized by the Secretary of State); purchase of books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1935, \$14.000, to be immediately available.

Panama Gener Claims Commission Vol. 47, p. 484. General

General Claims Commission, United States and Panama: Not to exceed \$166.67 of the appropriation "General Claims Commission, United States and Panama, 1933", contained in the Act making appropriations for the Department of State for the fiscal year 1933, is continued available for the same purposes until June 30, 1934.

General Disarmament Conference, Geneva, Switzerland: The unexpended balance of the appropriation "General Disarmament Conference, Geneva, Switzerland, 1933 and 1934", contained in the vol. 47, p. 783. First-Deficiency Act, fiscal year 1933, is continued available for the same purposes until June 30, 1935.

International Monetary and Economic Conference: The unexpended balances of the appropriations "International Monetary and Economic Conference, 1933 and 1934", contained in the Second and Economic Fourth Deficiency Acts, fiscal year 1933, are continued available. Fourth Deficiency Acts, fiscal year 1933, are continued available Vol. 47, p. 538;

for the same purposes until June 30, 1935.

Claims adjustment, United States and Turkey: For participation with Turkey.

The United States in the examination and settlement at Istanbul, Ante, p. 1018. by the United States in the examination and settlement at Istanbul, Turkey, of claims as provided for by public resolution entitled "Joint resolution authorizing appropriation for expenses of representatives of United States to meet at Istanbul, Turkey, with representatives of Turkish Republic for purpose of examining claims of either Government against the other and for expense of proceedings before an umpire, if necessary", approved June . 1934, fiscal year 1934, , 1934, fiscal year 1934, \$75,000, to remain available until June 30, 1935.

Mixed Claims Commission, United States and Germany: For mission, United States expenses of determining the amounts of claims against Germany by and Germany. Vol. 42, p. 2200; Vol. the Mixed Claims Commission established under the agreement 45, p. 2698. 1922, and subsequent agreement between those Governments, for the determination of the amount to be paid by Germany in satisfaction of the financial obligations of Germany under the treaty concluded between the Governments of the United States and Germany on August 25, 1921, including the expenses which under the terms of such agreement of August 10, 1922, are chargeable in part to the United States, and the preparation of a final report by the American Commissioner and the orderly arrangement for preservation and disposition of the records of the Commission; and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of claims and the presentation thereof before said Mixed Claims Commission, and the preparation of a final report of the agent and the orderly arrangement for preservation of the records of the agency and the disposition of property jointly owned by the two Governments, including salaries of an agent and necessary counsel and other assistants and employees, rent in the District of Columbia, employment of special counsel, counsel, etc. translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, and for contract stenographic reporting services without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5), law books and books of reference, printing and binding, contingent expenses, traveling expenses, press-clipping service, for all necessary and appropriate expenses in connection with proceedings under the Act entitled "An Act to amend the Act approved July 3, 1930 (46 Stat., p. 1005), authorizing Commissioners or members of international tribunals to administer oaths, and so forth", approved June 7, 1933, including stenographic transcripts of the testimony of witnesses, and such other expenses in the United States and elsewhere as the President may deem proper, including payment for services rendered

and reimbursement for expenditures incurred subsequent.
31, 1933, fiscal year 1935, to be immediately available, \$57,000.

General and Special Claims Conventions, United States and Claims Commission.

Vol. 43, pp. 1722, 1730. ment of claims of the citizens of each country against the other under a convention concluded September 8, 1923, as extended, and of citi-

Vol. 42, p. 1939.

Final report.

R.S., sec. 3709, p. 733. U.S.C., p. 1309.

Agency expenses.

zens of the United States against Mexico under a convention concluded September 10, 1923, as extended, and the protocol and convention signed April 24, 1934, between the United States and Mexico, including the expenses which, under the terms of the above agreements, are chargeable in part to the United States, the expenses of an agency of the United States to perform all necessary services in connection with the preparation of American claims and the defense of the United States in cases presented by Mexico, and of a general Joint appraiser, etc. claims commissioner to act as a joint appraiser in appraising the claims, and for the expenses of the joint committee in determining the proper classification of claims which have heretofore been filed as both general and special claims, as provided by the agreements of April 24, 1934, including salaries of an agent and necessary counsel and other assistants and employees and rent in the District of Columbia and elsewhere, law books and books of reference, printing and binding, contingent expenses, contract stenographic reporting services, without regard to section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5), the employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, traveling expenses, the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, and such other expenses in the United States and elsewhere as the President may deem proper, fiscal year 1935, to be immediately available, \$170,000.

Inter-American Highway. *Ante*, p. 996.

Inter-American Highway: To meet such expenses as the President in his discretion may deem necessary to enable the United States to cooperate with the several Governments, members of the Pan American Union, in connection with the survey and construction of the proposed Inter-American Highway, \$1,000,000, to remain available until expended. The expenditure of such sum shall be subject to the receipt of assurances satisfactory to the President from such governments of their cooperation in such survey and construction.

Treasury Department.

Secretary's office.

Recoinage of Danish West Indian coins for Virgin Islands.

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Recoinage of Danish West Indian coins of Virgin Islands: To cover the expenses and loss in the recoinage into subsidiary and other coins of the United States of the Danish West Indian franc and fractional coins of the Virgin Islands of the United States in order to provide for the replacement thereof at the rate fixed by Executive Order Numbered 15 of August 8, 1920, of nineteen and three-tenths hundredths of a dollar for each Danish West Indian franc face amount of such coins, \$25,000, to be expended under the direction of the Secretary of the Treasury and to remain available until expended.

Bookkeeping and Warrants Division.

Contingent expenses, public moneys.

Reserve B bursement.

DIVISION OF BOOKKEEPING AND WARRANTS

Contingent expenses, public moneys: The appropriations for contingent expenses, public moneys, for the fiscal years 1933 and 1934, Philadelphia Federal shall be available in the amounts of \$635.87 and \$105.58, respectively, leserve Bank, reim-to enable reimbursement to the Federal Reserve Bank, reimto enable reimbursement to the Federal Reserve Bank of Philadelphia, Pennsylvania, for the cost of shipments of cash by armored motor car from July 1, 1932, to August 31, 1933, under contract dated January 4, 1932.

PUBLIC DEBT SERVICE

Public Debt Services

Distinctive paper for United States securities: For an additional securities amount for distinctive paper for United States securities during the fiscal year 1935, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, as amended by Public Resolution Numbered 23, Seventy-third Congress, approved

Distinctive paper for

BUREAU OF CUSTOMS

May 7, 1934, \$69,220.

Customs Bureau.

The limitation on the amount which may be expended for the purchase of motor-propelled passenger-carrying vehicles from the appropriation "Collecting the revenue from customs, 1935", is increased from \$25,000 to \$75,000.

Motor vehicles.

Not to exceed \$1,500 of the appropriation "Collecting the revenue ments." from customs, 1935", shall be available for improving, repairing, maintaining, or preserving such buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders as are authorized by the Act of p. 367. U.S.C. Supp. VII, June 26, 1930 (U.S.C., Supp. VII, title 19, sec. 68).

BUREAU OF ENGRAVING AND PRINTING

Engraving and Print-ing Bureau.

The limitation in the Act making appropriations for the Treasury etc. stamps. Department for the fiscal year 1934 as to the number of delivered Number increased. sheets of internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (U.S.C. title 26, sec. 211), is increased from ninety-three million six hundred seventy-five thousand four hundred and eighty-six to one hundred eight million six hundred seventy-five thousand four hundred and eighty-six.

Internal revenue, of sheets

U.S.C., p. 742.

PROCUREMENT DIVISION—PUBLIC WORKS BRANCH

Procurement Division—Public Works branch.
Rent of temporary quarters.

Rent of temporary quarters, public buildings: For rent of temporary quarters and alterations of same for the accommodation of Government officials and moving expenses incident thereto, and the Secretary of the Treasury is hereby authorized to enter into leases for this purpose for periods not exceeding three years, fiscal year 1935, \$27,150.

Furniture, etc.

Furniture and repairs of same for public buildings: For an additional amount for furniture and repairs of same for public buildings, including the same objects specified under this head in the Act making appropriations for the Treasury Department for the fiscal year 1932, \$3,000.

New York (New York) Federal Office Building (Vesey Street): office Building. Limit of cost fixed under the Second Deficiency Act, fiscal year The limit of cost fixed under the Second Deficiency Act, fiscal year creased.

Vol. 47, p. 1613. 1933, approved March 4, 1933, for the acquisition by purchase, condemnation, or otherwise of the block bounded by Barclay, Vesey, and Church Streets and West Broadway, is hereby increased from \$5,020,438 to not to exceed \$5,056,246: Provided, That this increase \$5,020,438 to not to exceed \$5,056,246: Provided, That this increase charged of \$35,808, being approximately the amount of the balance owing on struction. the final judgment in excess of the amount deposited in court with the declaration of taking in condemnation proceedings plus interest on such balance from October 13, 1931, the date of the filing of the declaration to the date of payment at the rate of 6 per centum per annum, shall be charged against the \$5,715,000 authorized under

Provisos.

Vol. 47, p. 718.

Vol. 47, p. 412. Economy Act. Vol. 47, p. 412.

Union City, N.J. Additional site.

Vol. 46, p. 905. Description.

Exchange of properties

Proviso Exchange v Federal expense

Minneapolis, Minn. Appropriations available for approaches. Vol. 46, p. 900; Vol. 47, p. 412.

Washington, D.C. Central Heating Plant: furnishing heat to Corcoran Gallery Proviso.

Act approved July 21, 1932 (47 Stat. 718), as modified by the operation of the Legislative Appropriation Act approved June 30, 1932 Vol. 47, p. 412.

Ante, p. 22.

(47 Stat. 412), and as further authorized under Act approved March
Cost not affected by 31, 1933 (48 Stat. 22), for the construction of a building on said
site: Provided further, That the limit of cost herein fixed shall not be reduced by the operation of section 320 of the Legislative Appropriation Act approved June 30, 1932 (47 Stat. 412).
Union City (New Jersey) Post Office: The Secretary of the

Treasury is hereby authorized to acquire from the Port of New York Authority, upon such terms and conditions as he may deem to be to the best interest of the United States, as an addition to the present post-office site at Union City, New Jersey, acquired under authority of the Second Deficiency Act, fiscal year 1930, approved July 3, 1930 (46 Stat. 905), the land described as follows: "Beginning at point on the northerly side of Twenty-ninth Street, distant approximately two hundred feet west of the northwesterly intersection of Twenty-ninth Street and Palisade Avenue, said intersection being also the southeast corner of the present post-office site; running thence in a northerly direction and parallel with Palisade Avenue a distance approximately one hundred and twenty-four feet, thence in a westwardly direction a distance of approximately forty-eight feet to a point, thence in a southwardly direction a distance of approximately one hundred and thirty-seven feet to a point in the northerly line of Twenty-ninth Street, thence in an eastwardly direction along the northerly line of Twenty-ninth Street a distance of approximately fifty feet to the point of beginning", in exchange for that portion of the aforesaid site described as follows:

Beginning at a point formed by the southwesterly intersection of Thirty-second Street and Palisade Avenue, being also the northeast corner of the present post-office site; running thence in a northwest-erly direction along the southerly line of Thirty-second Street a distance of approximately two hundred and thirty-eight feet to a point, thence in a southerly direction a distance of approximately one hundred and twenty-four feet, thence in an eastwardly direction a distance of approximately two hundred feet to the point of beginning: Provided, however, That the exchange of properties shall be

without expense to the United States.

Minneapolis (Minnesota) Post Office, and so forth: The Second Deficiency Act, fiscal year 1930, approved July 3, 1930 (46 Stat. 900), authorizing the acquisition of a site and construction of a building under a limit of cost of \$4,075,000, as modified by the operation of section 320 of the Legislative Appropriation Act, approved June 30, 1932 (47 Stat. 412), is hereby amended so as to make not to exceed \$25,000 of said amount also available, in the discretion of the Secretary of the Treasury, for necessary approaches outside the Government's lot lines to the loading platform of the building located on High Street.

Washington, District of Columbia, Central Heating Plant: The Treasury Department is authorized to furnish heat from this plant to the Corcoran Gallery of Art: Provided, That the proper authority of such institution agrees (a) to pay for heat furnished at such rates, not less than cost, as may be determined by the Secretary of the Treasury, and (b) to connect such building with the Government mains in a manner satisfactory to the Public Works Branch,

Procurement Division, Treasury Department.

WAR DEPARTMENT

War Department.

MILITARY ACTIVITIES

Military acitivities.

Rifle ranges, Fort Francis E. Warren: For the purchase of one thousand six hundred acres of land adjacent to Fort Francis E. Warren; rifle ranges.

Ante, p. 955.

Warren in the State of Wyoming for use of the United States Army for rifle-range purposes in accordance with the provisions of an Act entitled "An Act to authorize an appropriation for the purchase of land in Wyoming for use as rifle ranges for the Army of the United States". approved June 14, 1934, \$16,000.

NONMILITARY ACTIVITIES

Nonmilitary activities.

Claims for damages by collision with river and harbor vessels: To pay claims for damages by collision with river and harbor vessels adjusted and determined by the War Department under the provisions of section 9 of the River and Harbor Act, approved June 5, 1920 (U.S.C., title 33, sec. 564), as set forth in House Document Numbered 316, Seventy-third Congress, \$1,833.10.

Collision damages.

Vol 41, p. 1015. U.S.C., p. 1081.

JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims.

DAMAGE CLAIMS

Damage claims.

Section 2. For the payment of claims for damages to or losses Settlement of, not in excess of \$1,000. of privately owned property adjusted and determined by the following respective departments and independent establishments under the provisions of the Act entitled "An Act to provide for a method for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U.S.C., title 31, secs. 215-217), as fully set forth in Senate Documents Numbered 201, 203, and 213, and House Documents Numbered 319 and 332, Seventy-third Congress, as follows:

Civil Works Administration, \$2,113.97;

Vol. 42, p. 1066. U.S.C., p. 989.

National Advisory Committee for Aeronautics, \$81.85;

Veterans' Administration, \$673.17;

Department of Agriculture, \$2,381.42;

Department of Commerce, \$1,066.85

Department of the Interior, \$2,025.64; Department of Justice, \$720.05; Department of Labor, \$207.30;

Navy Department, \$4,390;

Post Office Department (out of postal revenues), \$20,235.32; Treasury Department, \$3,714.91;

War Department, \$15,209.32;

In all, \$52,819.80.

JUDGMENTS, UNITED STATES COURTS

United States courts,

SEC. 3. For payment of the final judgments and decrees, including ly assessed taxes. costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States" as amended "Vol. 24, p. 505; Vol. 43, pp. 348, 941, 972, U.S. C., p. 867. by the Judicial Code, approved March 3, 1911 (U.S.C., title 28, sec. 41, par. 20; sec. 258; secs. 761-765), certified to the Seventy-third Congress in Senate Document Numbered 198 and House Docu-

ment Numbered 324 (*print), under the following departments and establishments, namely:

Department of Commerce, \$397.20;

Department of the Interior, \$3,363.74;

Department of Labor, \$2,005;

Department of State, \$1,920; Treasury Department, \$5,029.40;

War Department, \$23,868; Interest.

In all, 36,583.34, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per centum from the date thereof until the time this appropriation is made.

Payment of, for suits in admiralty. Vol. 43, p. 1112. U.S.C., p. 1529.

For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States and for other purposes", approved March 3, 1925 (U.S.C., title 46, secs. 781–789), certified to the Seventy-third Congress in Senate Document Numbered 198 and House Document Numbered 324 (*print), under the following departments, namely: Department of Commerce, \$21,000;

Navy Department, \$3,357.65 Treasury Department, \$6,275.77; War Department, \$2,635.93; In all, \$33,269.35, together with such additional sum as may be

Interest.

under

Judgments, special acts.

U.S.C., p. 1012.

necessary to pay interest as and where specified in such judgments.

For the payment of the judgments, including costs of suits, rendered against the Government by United States District Courts in special cases and under the provisions of certain special Acts and certified to the Seventy-third Congress in Senate Document Numbered 198 and House Document Numbered 324 (* print), under the following departments, namely:

Department of Justice, \$45,000; Navy Department, \$44,440.40;

Interest.

War Department, \$12,167.96; In all, \$101,608.36, together with such additional sum as may be necessary to pay interest as and where specified in such judgments. Time of payments.

None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of

the parties to appeal or otherwise.

Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

Interest.

SEC. 4. For payment of the judgments rendered by the Court of Claims and reported to the Seventy-third Congress in Senate Documents Numbered 196, 206, and 212 and House Document Numbered 327, under the following departments and establishments, namely:

Architect of the Capitol, \$4,347.13;

National Advisory Committee for Aeronautics, \$7,715.01;

Railroad Administration, \$69,671.13;

Department of the Interior, \$144,106.01; Department of Justice, \$25.25; Navy Department, \$315,915.56; Treasury Department, \$18,652.59; War Department, \$854,722.14;

In all, \$1,415,154.82, together with such additional sum as may be necessary to pay interest on certain of the judgments, including number M-183 in favor of the Federal Real Estate and Storage Company and Hugh J. Phillips, Senate Document Numbered 212, at the legal rate per annum as and where specified in such judgments.

Interest.

None of the judgments contained under this caption which have not been affirmed by the Supreme Court or otherwise become final and conclusive against the United States shall be paid until the expiration of the time within which application may be made for a writ of certiorari under subdivision (b) section 3, of the Act entitled "An Act to amend the Judicial Code, and to further define the jurisdiction of the circuit courts of appeals and of the Supreme Court, and for other purposes ", approved February 13, 1925 (U.S.C., title 28, sec. 288).

Time of payment.

Vol. 43, p. 939. U.S.C., p. 900.

AUDITED CLAIMS

Audited claims.

Sec. 5. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), and under appropriations heretofore treated as permanent. being for the service of the fiscal year 1931 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U.S.C., title 5, sec. 266), as fully set forth in House Document Numbered 323, Seventy-third Congress, there is appropriated as follows.

Payment of.

Vol. 18, p. 110. U.S.C., p. 1022.

LEGISLATIVE ESTABLISHMENT

Legislative lishment. Estab-

For salaries, officers and employees, House of Representatives, \$7.20.

INDEPENDENT OFFICES

Independent offices.

For operations under Mineral Act of October 5, 1918, \$504,222.25.

For Interstate Commerce Commission, \$143.67. For traveling expenses, Civil Service Commission, \$2.35.

For operation of projects, United States Housing Corporation,

For salaries and expenses, vocational rehabilitation of persons disabled in industry, \$4.

For Government contribution to American National Red Cross Building, \$2,978.98.

For medical and hospital services, Veterans' Bureau, \$17,115.51. For military and naval compensation, Veterans' Administration,

For military and naval insurance, Veterans' Bureau, \$612.72.

For salaries and expenses, Veterans' Bureau, \$174.41. For vocational rehabilitation, Veterans' Bureau, \$123.

For Army pensions, \$297.27.
For Navy pensions, \$12.50.
For fees of examining surgeons, pensions, \$5.

For investigation of pension cases, Bureau of Pensions, \$13.20. For National Home for Disabled Volunteer Soldiers, Southern Branch, \$141.80.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

For salaries and expenses, Bureau of Animal Industry, \$838.67. For salaries and expenses, Bureau of Dairy Industry, \$1.75.

For salaries and expenses, Bureau of Plant Industry, \$52.97.

For salaries and expenses, Forest Service, \$44.65.

For salaries and expenses, Forest Service, emergency construction, \$45.85.

For salaries and expenses, Bureau of Entomology, \$4.06.

For salaries and expenses, Bureau of Agricultural Economics,

For salaries and expenses, Plant Quarantine and Control Administration, \$56.

For salaries and expenses, Bureau of Chemistry and Soils, \$10.42.

Department of Commerce.

DEPARTMENT OF COMMERCE

For promoting commerce, Department of Commerce, \$78.55. For contingent expenses, Steamboat Inspection Service, \$3.60.

For air navigation facilities, \$38,918.75.

For general expenses, Lighthouse Service, \$445.13.

For investigating mine accidents, \$5.50.

For party expenses, Coast and Geodetic Survey, \$400. For protecting seal and salmon fisheries of Alaska, \$90.

For pay, and so forth, of officers and men, vessels, Coast Survey, \$1,040.65.

For transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce, \$81.79.

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For Geological Survey, \$9.52.

For National Park Service, \$930.21.

For general expenses, Bureau of Education, \$5.33.

For education of natives of Alaska, \$47.05. For Howard University, \$114.59. For pay of Indian police, \$16.88. For Indian boarding schools, \$250.20. For industry among Indians, \$2,002.88. For conservation of health among Indians, \$426.

For education of natives of Alaska, \$9.82.

For Indian school support, \$106.86.

For relieving distress and prevention, and so forth, of diseases among Indians, \$310.

For suppressing contagious diseases among livestock of Indians, \$125.

Department of Jus-

DEPARTMENT OF JUSTICE

For salaries and expenses, Bureau of Prohibition, \$749.77.

For supplies for United States courts, \$532.50.

For probation system, United States courts, \$45.

For contingent expenses, Department of Justice, \$5. For books, Department of Justice, \$77. For books for judicial officers, \$1,375.10.

For detection and prosecution of crimes, \$159.33.

For examination of judicial officers, \$4.56.

For printing and binding, Department of Justice and courts, \$229.73.

For protecting interests of the United States in customs matters,

For repairs to buildings, Court of Claims, \$44.97.

For salaries of circuit, district, and retired judges, \$194.44. For salaries, fees, and expenses of marshals, United States courts, \$2,951.09.

For salaries and expenses of district attorneys, United States courts, \$991.64.

For fees of commissioners, United States courts, \$5,424.48.

For fees of jurors, United States courts, \$48.60.

For fees of jurors and witnesses, United States courts, \$74.78. For miscellaneous expenses, United States courts, \$685.71.

For support of prisoners, United States courts, \$834.30. For support of United States prisoners, \$1,254.87.

For United States penitentiary, Leavenworth, Kansas, \$39.22. For United States penitentiary, Atlanta, Georgia, \$29.88.

For United States penitentiary, Atlanta, Georgia, infirmary and isolation buildings, \$4.63.

For Federal Industrial Institution for Women, maintenance,

\$16.40.

DEPARTMENT OF LABOR

Department of La-bor.

For expenses of regulating immigration, \$1,028.63.

NAVY DEPARTMENT

Navy Department.

For increase of compensation, Naval Establishment, \$9.09.

For pay, miscellaneous, \$17.67.

For gunnery and engineering exercises, Bureau of Navigation, \$10.

For organizing the Naval Reserve Force, \$4.20. For organizing the Naval Reserves, \$96.89.

For engineering, Bureau of Engineering, \$39,186.65. For construction and repair, Bureau of Construction and Repair, \$56.14.

For ordnance and ordnance stores, Bureau of Ordnance, \$200.

For pay, subsistence, and transportation, Navy, \$18,865.07.

For pay of the Navy, \$2,154.79.
For transportation, Bureau of Navigation, \$367.25.
For maintenance, Bureau of Supplies and Accounts, \$261.35.

For aviation, Navy, \$91,451.06.

For pay, Marine Corps, \$2,532.61.

For general expenses, Marine Corps, \$180.68. For maintenance, Quartermaster's Department, Marine Corps,

For reimbursement to certain persons for loss of Government securities while naval prisoners, \$127.04.

DEPARTMENT OF STATE

Department of State.

For allowance for clerks at consulates, \$315.06.

For allowance to widows or heirs of Foreign Service officers who die_abroad, \$316.68.

For contingent expenses, foreign missions, \$662.71.

For contingent expenses, United States consulates, \$35.16. For expenses of Foreign Service inspectors, \$5.32.

For salaries of ambassadors and ministers, \$55.56.

For salaries, Foreign Service officers, \$80.78.

For salaries, Foreign Service officers while receiving instructions and in transit, \$501.74.

For transportation of Foreign Service officers, \$7,208.04.

For transporting remains of diplomatic officers, consuls, and consular assistants, \$101.

TREASURY DEPARTMENT

Treasury Depart-

For increase of compensation, Treasury Department, \$17.33.

For collecting the revenue from customs, \$103.50.

For compensation in lieu of moieties, \$356.

For collecting the internal revenue, \$235.48.

For collecting the war revenue, \$155.25.

For punishment for violation of internal-revenue laws, \$442.65.

For refunding internal-revenue collections, \$300.

For refunding taxes illegally collected, \$323.97.

For enforcement of Narcotic and National Prohibition Acts, Internal Revenue, \$1,599.45.

For salaries and expenses, Bureau of Narcotics, \$4.50.

For salaries and expenses, Bureau of Industrial Alcohol, \$2.25.

For Coast Guard, \$4,853.83.

For pay and allowances, Coast Guard, \$7,131.15.

For pay of crews, miscellaneous expenses, and so forth, Life Saving Service, \$710.18.

For contingent expenses, Coast Guard, \$277.94. For Coast Guard station, Barataria, Louisiana, \$300.

For rebuilding and repairing stations, and so forth, Coast Guard, \$3.08.

For pay of personnel and maintenance of hospitals, Public Health Service, \$986.84.

For pay of other employees, Public Health Service, \$7.65.

For freight, transportation, and so forth, Public Health Service, \$108.94.

For expenses, Division of Venereal Diseases, Public Health Service, \$3.50.

For medical and hospital services, Public Health Service, \$11.

For Quarantine Service, \$7.96.

For studies of rural sanitation, Public Health Service, 20 cents.

For field investigations of public health, 45 cents. For preventing the spread of epidemic diseases, \$15.99. For suppressing counterfeiting and other crimes, \$2.

For general expenses of public buildings, \$1.55. For mechanical equipment for public buildings, \$93.90.

For operating force for public buildings, \$4.82. For operating supplies for public buildings, \$74.27.

For repairs and preservation of public buildings, \$646.21. For furniture and repairs of same for public buildings, \$4.25.

War Department.

WAR DEPARTMENT

For registration and selection for military service, \$14.10.

For registration and selection for military service, Act June 15, 1917, \$8.

For pay, and so forth, of the Army (Longevity Act January 29, 1927), \$1,488.84.

For pay, and so forth, of the Army, \$65,318.35.

For pay of the Army, \$7,335.

For pay, and so forth, of the Army, War with Spain, \$228.36.

For arrears of pay, bounty, and so forth, \$294.29. For mileage of the Army, \$102.95.

For increase of compensation, Military Establishment, \$9,647.36.

For Army transportation, \$3,119.78. For clothing and equipage, \$128.07.

For general appropriations, Quartermaster Corps, \$6,882.03.

For incidental expenses of the Army, \$42.

For horses for cavalry, artillery, engineers, and so forth, \$22. For subsistence of the Army, \$283.80.

For supplies, services, and transportation, Quartermaster Corps, \$622.68.

For replacing medical supplies, \$136.07.

For replacing clothing and equipage, \$3,784.33.

For replacing ordnance and ordnance stores, \$417.16.

For Air Corps, Army, \$74.42.

For medical and hospital department, \$131.50.

For ordnance service and supplies, Army, \$378.80.

For seacoast defenses, insular departments, ordnance, \$1.13.

For seacoast defenses, insular departments, coast artillery, \$105. For armament of fortifications, \$26,651.42.

For field-artillery armament, \$62.14. For Chemical Warfare Service, Army, \$5.75.

For arming, equipping, and training the National Guard, \$1,507.75.

For pay of National Guard for armory drills, \$788.04.

For arms, uniforms, equipment, and so forth, for field service, National Guard, \$58.91.

For Organized Reserves, \$131.37. For Reserve Officers' Training Corps, \$234. For citizens' military training camps, \$6.02. For headstones for graves of soldiers, \$3.97.

For cemeterial expenses, War Department, \$13.07.

POST OFFICE DEPARTMENT-POSTAL SERVICE

Post Office Depart-Postal Service.

(Out of the postal revenues)

For balances due foreign countries, \$909.76.

For city delivery carriers, \$1,348.81.

For clerks, first- and second-class post offices, \$2,166.65.

For compensation to postmasters, \$2,311.45.

For compensation to assistant postmasters, \$100. For freight, express, or motor transportation of equipment, and

so forth, \$44.58. For indemnities, domestic mail, \$1,464.51.

For indemnities, international mail, \$445.85.

For labor-saving devices, \$48.26.

For miscellaneous items, first- and second-class post offices, \$564.68.

For railroad transportation and mail-messenger service, \$10,253.12. For Railway Mail Service, salaries, \$19.38. For rent, light, and fuel, \$2,852.79. For Rural Delivery Service, \$70.08.

For salaries, Office of the Fourth Assistant Postmaster General, \$14.67.

For separating mails, \$120.

For special-delivery fees, \$11.53.

For star route service, \$44.76.

For vehicle service, \$132.72.

For village delivery service, \$300.37.

Total, audited claims, section 5 (a), \$933,102.46, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in

certain of the settlements of the General Accounting Office.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713).

Additional claims General Accounting Office.

Vol. 18, p. 110.

Vol. 23, p. 254.

U.S.C., pp. 1022, 43. of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1931 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U.S.C., title 5, sec. 266), as fully set forth in Senate Document Numbered 197, Seventy-third Congress, there is appropriated as follows:

Independent Offices.

INDEPENDENT OFFICES

For operations under Mineral Act of October 5, 1918, \$77,714.26.

For Interstate Commerce Commission, \$6.

For medical and hospital services, Veterans' Bureau, \$140.28. For medical and hospital services, Bureau of War Risk Insur-

ance, \$2.

For military and naval compensation, Veteran's Administration, \$80.

For salaries and expenses, Veterans' Bureau, \$163.28.

For Army pensions, \$28.

For investigation of pension cases, Bureau of Pensions, \$1.

Department of Agriculture.

DEPARTMENT OF AGRICULTURE

For eradication of sweetpotato weevil, \$1.50.

For salaries and expenses, Bureau of Animal Industry, \$11.67. For salaries and expenses, Bureau of Plant Industry, \$77.50. For salaries and expenses, Bureau of Chemistry and Soils, \$7.51. For salaries and expenses, Food and Drug Administration, \$35.52.

Department of Com-

DEPARTMENT OF COMMERCE

For contingent expenses, Department of Commerce, \$12.21. For air-navigation facilities, \$9,548.06.

For general expenses, Lighthouse Service, \$1.50.

For allowance for quarters, Foreign Commerce Service, \$75. For aircraft in commerce, \$254.86.

For operating mine-rescue cars and stations, Bureau of Mines, \$15.61.

District of Columbia.

DISTRICT OF COLUMBIA

For street and road improvement and repair, District of Columbia, \$20.50, payable from the revenues of the District of Columbia.

Department of the Interior.

DEPARTMENT OF THE INTERIOR

For general expenses, Office of Education, \$4.

For Indian school support, \$5.47.
For Indian school buildings, \$65.97.
For support of Indians and administration of Indian property, \$49.75.

For conservation of health among Indians, \$90.

Department of Justice.

DEPARTMENT OF JUSTICE

For miscellaneous expenses, United States courts, \$118.07.

For salaries and expenses of district attorneys, United States courts, \$12.09.

For salaries and expenses, Bureau of Prohibition, \$142.05.

For salaries, fees, and expenses of marshals, United States courts, \$542.89.

For detection and prosecution of crimes, \$1.75.

For fees of jurors and witnesses, United States courts, \$95.

For support of United States prisoners, \$94. For fees of witnesses, United States courts, \$9.50.

For salaries and expenses of clerks, United States courts, \$387.64.

Department of La-

DEPARTMENT OF LABOR

For expenses of regulating immigration, \$19.35.

NAVY DEPARTMENT

Navy Department.

For pay, miscellaneous, \$2.75.

For gunnery and engineering exercises, Bureau of Navigation, \$5. For maintenance, Bureau of Supplies and Accounts, \$228.38. For engineering, Bureau of Engineering, \$4.30. For pay of the Navy, \$65.85.

For pay, subsistence, and transportation, Navy, \$162.15.

For aviation, Navy, \$74,778.56. For pay, Marine Corps, \$421.35.

DEPARTMENT OF STATE

Department of State.

For contingent expenses, foreign missions, \$40.23.

TREASURY DEPARTMENT

Treasury Department.

For contingent expenses, Treasury Department, freight, telegrams, and so forth, 76 cents.

For collecting the revenue from customs, \$30.38.

For collecting the internal revenue, \$67.25.

For enforcement of Narcotic and National Prohibition Acts, internal revenue, \$744.65.

For salaries and expenses, Bureau of Narcotics, \$2.40. For Coast Guard, \$84.45.

For pay and allowances, Coast Guard, \$24.33.

For repairs to Coast Guard vessels, \$14.80.

For pay of personnel and maintenance of hospitals, Public Health Service, \$77.25.

WAR DEPARTMENT

War Department.

For pay, and so forth, of the Army, \$8,885.61.

For pay of the Army, \$588.78. For pay, and so forth, of the Army, War with Spain, 21 cents.

For mileage to officers and contract surgeons, \$11.08.

For mileage to officers and contract surgeons, \$11.00. For mileage of the Army, \$13.25. For increase of compensation, Military Establishment, \$1,259.63. For increase of compensation, War Department, \$98. For Army transportation, \$443.38.

For clothing and equipage, \$38.34.

For general appropriations, Quartermaster Corps, \$10,107. For horses for cavalry, artillery, engineers, and so forth, \$2. For regular supplies of the Army, \$8.33.

For supplies, services, and transportation, Quartermaster Corps, \$20,547.49.

For replacing ordnance and ordnance stores, \$2.24.

For sites for military purposes, \$100.

For Air Corps, Army, \$505. For Medical and Hospital Department, \$5.88.

For seacoast defenses, ordnance, \$26.03. For armament of fortifications, \$1,217.70.

For arming, equipping, and training the National Guard, \$63.84. For pay of National Guard for armory drills, \$285.71.

For arms, uniforms, equipment, and so forth, for field service, National Guard, \$213.44.
For Reserve Officers' Training Corps, \$21.90.
For headstones for graves of soldiers, \$2.12.

For Vicksburg National Military Park, \$8.49.

Post Office Department. Postal Service.

POST OFFICE DEPARTMENT-POSTAL SERVICE

(Out of the postal revenues)

For clerks, first- and second-class post offices, \$549.35.

For freight, express, or motor transportation of equipment, etc., \$4.48.

For indemnities, domestic mail, \$286.52.

For indemnities, international mail, \$71.23.

For labor-saving devices, 25 cents.

For post-office equipment and supplies, \$2.50.

For railroad transportation and mail messenger service, \$26.40.

For rent, light, and fuel, \$10.70. For special-delivery fees, \$5.67.

Total, audited claims, section 5 (b), \$212,001.18, together with such additional sum due to increases in rates of exchange as may be

Additional claims.

Vol. 18, p. 110. U.S.C., p. 1022.

Vol. 23, p. 254, U.S.C., p. 43.

necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office. (c) For the payment of the following claims, certified to be due

by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U.S.C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1931 and prior years, unless other-wise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U.S.C., title 5, sec. 266), as fully set forth in Senate Document Numbered 205, Seventy-third Congress, there is appropriated as follows:

Independent Offices.

INDEPENDENT OFFICES

For operations under Mineral Act of October 5, 1918, \$7,294.62. For medical and hospital services, Veterans' Bureau, \$12.50.

Department of Commerce.

DEPARTMENT OF COMMERCE

For air-navigation facilities, \$300.

Department of Jus-

DEPARTMENT OF JUSTICE

For salaries and expenses, Bureau of Prohibition, \$11.33.

Navy Department.

NAVY DEPARTMENT

For pay, subsistence, and transportation, Navy \$2,880.75.

For pay of the Navy, \$3,162.07. For transportation, Bureau of Navigation, \$11.96.

For general expenses, Marine Corps, \$67.85.

War Department.

WAR DEPARTMENT

For pay, and so forth, of the Army, \$845.33.

For general appropriations, Quartermaster Corps, \$167.39. For increase of compensation, Military Establishment, \$468.08. For pay of Military Academy, \$10. Total, audited claims, section 5 (c), \$15,231.88, together with such editional sum due to increases in rates of each area. additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in

certain of the settlements of the General Accounting Office.

Claims under private

SEC. 6. Claims under certain private Acts: To pay claims allowed by the Comptroller General of the United States under the provisions of Private Act Numbered 20, Seventy-third Congress, approved

February 26, 1934, and certified to the Seventy-third Congress in House Document Numbered 317, under the War Department, as

Vicksburg National Military Park, 1931, \$356;

Payments to claimants under Private Act Numbered 20, approved

February 26, 1934, \$7,890.

For the payment of a claim allowed by the General Accounting claims Office under the provisions of Private Act Numbered 486, Sixtyninth Congress, approved March 3, 1927 (44 Stat., pt. 3, 1832), and certified to the Seventy-third Congress in House Document Numbered 318, under the War Department, \$10.25.

SEC. 7. Judgments against collectors of customs: For the pay- Judgments against collectors of customs. ment of claims allowed by the General Accounting Office covering judgments rendered by United States District Courts against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U.S.C., title 28, sec. 842), and certified to the Seventy-third Congress in Senate Documents Numbered 194 and 207 and House Document Numbered 320, under the Department of Labor, \$24,319.25.

SEC. 8. Funds of deceased patients, Saint Elizabeths Hospital: For the payment of the claim of the estate of John C. Lederer, deceased, allowed by the General Accounting Office under the provisions of the Act of June 30, 1906 (U.S.C., title 24, sec. 177), and certified to the Seventy-third Congress in Senate Document Numbered 199 and House Document Numbered 325, under the Depart-

ment of the Interior, \$137.13.

SEC. 9. Interest withheld from claimants: For payment of interest due.

SEC. 9. Interest withheld from claimants by the Comptroller General Payments of without the United States, Act March 3, 1875, as amended by section 13 vol. 47, p. 1516. of the United States, Act March 3, 1875, as amended by section 13 of the Act of March 3, 1933 (47 Stat., 1516), as allowed by the General Accounting Office, and certified to the Seventy-third Congress in Senate Document Numbered 200 and House Document Numbered 326, under the Navy Department, \$351.93, under the Treasury Department, \$11,866.27, and under the War Department \$11,041.10; in all, \$23,259.30.

Sec. 10. This title may be cited as the "Deficiency Appropriation

Act, fiscal year 1934.

Post, p. 1303.

Vicksburg National Park.

Designated Army Vol. 44, p. 1832.

R. S., sec. 989, p. 185, U.S.C. p. 943.

John C. Lederer. Payment to estate of. U.S.C. p. 681.

TITLE II—EMERGENCY APPROPRIATIONS

Emergency appropri-

EXECUTIVE

For an additional amount for carrying out the purposes of the Act Unemployment entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved formance of useful public work, and for other purposes", approved March 31, 1933 (48 Stat. 22); the Federal Emergency Relief Act of Relief. 1933, approved May 12, 1933 (48 Stat. 55); the Tennessee Valley Authority Act of 1933, approved May 18, 1933 (48 Stat. 58); and the thority Act. National Industrial Recovery Act, approved June 16, 1933 (48 Executive Office Stat. 195); and including \$325,000 for an addition to the Executive Office Building and for the furnishings and equipment thereof; Recovery Act. Ante, p. 58. Executive Office Building and for the furnishings and equipment thereof; Recovery Act. Ante, p. 210. Provisos. Transfer of funds for Federal emergency aggregate of any savings or unobligated balances in funds of the aggregate of any savings or unobligated balances in funds of the Reconstruction Finance Corporation may, in the discretion of the President, be transferred and applied to the purposes of the Federal Emergency Relief Act of 1933 and/or title II of the National Industrial Recovery Act, and any unobligated balances in appropriations (including allocations of appropriations) of the Federal

Ante. p. 22.

Maximum for public

Emergency Administration of Public Works may, in the discretion of the President, be transferred and applied to the purposes of such Federal Emergency Relief Act of 1933: Provided further, That the amounts to be made available under the authority of this paragraph for public works under the National Industrial Recovery Act shall not exceed in the aggregate \$500,000,000.

EMERGENCY RELIEF

Relief in stricken agricultural areas. Amount available

Expenditures.

Special rates and preferences of carriers.

Reconstruction Finance Corporation to purchase securities from Federal Emergency Administration Public Works.

standing obligations. Vol. 47, p. 9.

Civilian tion Corps. Conserva-

Application of employees Compensation Act to enrollees.
Vol. 39, p. 742, U.S.C.

Ante, p. 23.

Ante, p. 351.

To meet the emergency and necessity for relief in stricken agricultural areas, to remain available until June 30, 1935, \$525,000,000, to be allocated by the President to supplement the appropriations heretofore made for emergency purposes and in addition thereto for (1) making loans to farmers for, and/or (2) the purchase, sale, gift, or other disposition of, seed, feed, freight, summer fallowing and similar purposes; expenditures hereunder and the manner in which they shall be incurred, allowed, and paid, shall be determined by the President, and may include expenditures for personal services and rent in the District of Columbia and elsewhere and for printing and binding and may be made without regard to the provisions of section 3709 of the Revised Statutes.

If, during the present drought emergency, a carrier subject to the Interstate Commerce Act shall, at the request of any agent of the United States, authorized so to do, establish special rates for the benefit of drought sufferers such a carrier shall not be deemed to have violated the Interstate Commerce Act with reference to undue preference or unjust discrimination by reason of the fact that it applies such special rates only to those designated as drought sufferers by

the authorized agents of the United States or of any State.

The Reconstruction Finance Corporation is hereby authorized to nance Corporation to purchase securities purchase marketable securities, satisfactory to said Corporation, from Federal Emergency Administration acquired or to be acquired by the Federal Emergency Administration of Public Works, and any sums paid for such securities shall be available to said Federal Emergency Administration of Public Works for the making of additional loans. Works for the making of additional loans (but not grants) under the provisions of title II of the National Industrial Recovery Act: Provise.

Maximum investments.

Limitation on outnot expected \$250,000,000. The amount of notes deboutures and heard. ration may have invested at any one time in such securities shall not exceed \$250,000,000. The amount of notes, debentures, and bonds or other such obligations which the Reconstruction Finance Corporation is authorized and empowered to have outstanding at any one time pursuant to section 9 of the Reconstruction Finance Corporation Act, as amended, is hereby increased by the sums necessary for these purchases, not to exceed \$250,000,000.

Section 3 of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933 (48 Stat. 22), is hereby repealed, insofar as said Act applies to enrollees in the Civilian Conservation Corps, and in lieu thereof the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U.S.C., title 5, ch. 15), are hereby made applicable to such enrollees under the said Act of March 31, 1933, to the same extent and under the same conditions as is provided for employees of the Federal Civil Works Administration in the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program,

and for other purposes", approved February 15, 1934 (Public, the sum appropriated in the first paragraph of title II of this Act tive fund to be set as the United States Employees' Compensation Commission, with the approval of the Director of the Budget action. to the Secretary of the Treasury will be necessary for administrative expenses and for the payment of such compensation shall be set aside in a special fund to be administered by the Commission for such purposes; and after June 30, 1935, such special funds shall be available for these purposes annually in such amounts as may be specified therefor in the annual appropriation Acts.

PETROLEUM ADMINISTRATION

For administering and enforcing the provisions of section 9 (c) of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), and the Code of Fair Competition for the Petroleum Industry approved pursuant to the authority of said Act, and for other purposes relating to the regulation of commerce in petroleum, to be allocated by the President, and to include necessary personal services in the District of Columbia and elsewhere without regard services in the District. to the civil-service laws and regulations, traveling expenses, rent, and not to exceed \$2,750 for books and periodicals, not to exceed \$48,000 for the purchase, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed \$20,000 for the maintenance, operation, and repair of four motor boats, fiscal year 1935, \$1,500,000.

Petroleum adminis-

Enforcing provisions regarding.

Ante, p. 200.

Motor vehicles.

DEPARTMENT OF AGRICULTURE

For the purpose of increasing employment by providing for emergency construction of public highways and other related projects, fiscal year 1935, \$100,000,000, to remain available until expended, which sum shall be apportioned by the Secretary of Agriculture immediately upon the enactment of this Act under the provisions of section 204 of the National Industrial Recovery Act, approved June 16, 1933 (in addition to any sums heretofore allocated under such section), to the highway departments of the several States to be expended by such departments pursuant to the provisions of such deemed part of emersection, and which sum is a part of the \$200,000,000 authorized to be gency authorization.

Ante, p. 993. appropriated by section 1 of the Act entitled "An Act to increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and to amend the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, and for other purposes", approved , 1934.

For the purpose of carrying out the provisions of section 23 of the Federal Highway Act, approved November 9, 1921, fiscal year 1935, \$10,000,000 to remain available until expended in accordance with the provisions of such section 23.

For the purpose of carrying out the provisions of section 3 of construction through the Federal Highway Act, approved November 9, 1921, as amended Federal reservations.

June 24, 1930 (46 Stat 805) for the survey construction reconvol. 46, p. 805. June 24, 1930 (46 Stat. 805), for the survey, construction, reconstruction, and maintenance of roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, fiscal year 1935, \$2,500,000; to remain available until expended.

Department of Agriculture.

Emergency construc-tion of highways.

Apportionment. Ante, p. 203.

Forest roads or trails. Vol. 42, p. 218.

Interior Department.

DEPARTMENT OF THE INTERIOR

National Park Serv-Improvements.

Vol. 46, p. 1053.

Indian Reservation roads. Vol. 45, p. 750.

Proviso
Approval required.

Alabama flood relief. Vol. 46, p. 99; Vol. 47, p. 635.

For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges in the national parks, monuments, and other areas administered by the National Park Service, including areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (46 Stat. 1053), as amended, fiscal year 1935, \$5,000,000, to remain available until expended.

For the construction and improvement of Indian reservation roads under the provisions of the Act approved May 26, 1928 (45 Stat. 750), fiscal year 1935, \$2,000,000 to remain available until expended: *Provided*, That the location, type, and design of all roads and bridges shall be approved by the Bureau of Public Roads before any expenditures are made thereon, and all such construction done by contract shall be under the general supervision of said Bureau.

Road and bridge flood relief, State of Alabama: The unexpended balance of the appropriations contained in the First Deficiency Act, fiscal year, 1930, for carrying out the provisions of the Act entitled "An Act for the relief of the State of Alabama for damages to and destruction of roads and bridges by floods in 1929", approved March 12, 1930, shall remain available until June 30, 1935.

Agricultural Adjust-ment Act amendments.

Ante, p. 33.

Cotton in possession of Secretary; borrowing

Advances by Secretary of Treasury.

AMENDMENTS TO AGRICULTURAL ADJUSTMENT ACT

Section 4 of the Agricultural Adjustment Act, as amended, is amended to read as follows:

"Sec. 4. (a) The Secretary of Agriculture shall have authority to borrow money upon all cotton in his possession or control and may, at his discretion, deposit as collateral for such loans the warehouse receipts for such cotton.

"(b) The Secretary of the Treasury is authorized to advance, in his discretion, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000,000 to be available, until March 1, 1936, to the Secretary of Agriculture, for paying off any debt or debts which may have been or may be incurred by the Secretary of Agriculture and discharging any lien or liens which may have arisen or may arise pursuant to part 1 of this title, for protecting title to any cotton which may have been or may be acquired by the Secretary of Agriculture under authority of part 1 of this title, and for paying any expenses (including, but not limited to, ware-house charges insurance selections interest costs and commissions) house charges, insurance, salaries, interest, costs, and commissions) incident to carrying, handling, insuring, and marketing of said cotton and for the purposes described in subsection (e) of this

Availability of ad- section.

"(c) The funds authorized by subsection (b) of this section shall be made available to the Secretary of Agriculture from time to time upon his request and with the approval of the Secretary of the Statement to accome Treasury. Each such request shall be accompanied by a statement pany request. showing by weight and average grade and staple the quantity of cotton held by the Secretary of Agriculture and the approximate

Purposes of subsections aggregate market value thereof.

"(d) It is the purpose of subsections (b) and (c) to provide an alternative method to that provided by subsection (a), for enabling the Secretary of Agriculture to finance the acquisition, carrying, handling, insuring, and marketing of cotton acquired by him under authority of section 3 of this Act. The Secretary of Agriculture authority of section 3 of this Act. The Secretary of Agriculture may at his discretion make use of either or both of the methods provided in this section for obtaining funds for the purposes hereinabove enumerated.

"(e) The Secretary of Agriculture is authorized to use in his discretion any funds obtained by him pursuant to the provisions of subsection (a) or (b) of this section or of section 5 for making advances to any agency which may have been or may be established by the Secretary of Agriculture for the handling, carrying, insuring, or marketing of any cotton acquired by the Secretary of Agriculture, to enable any such agency to perform, exercise, and discharge any of the duties, privileges, and functions which such agency may be

authorized to perform, exercise, or discharge.

"(f) The proceeds derived from the sale of cotton shall be held for sale held in special dethe Secretary of Agriculture by the Treasurer of the United States posit account. in a special deposit account and shall be used by the Secretary of Use of. Agriculture to discharge the obligations incurred under authority of part 1 of this title. Whenever any cotton shall be marketed the net proceeds (after discharge of other obligations incurred with respect thereto) derived from the sale thereof shall be used, to the extent required, to reimburse the Treasury for such portion of the funds hereby provided for as shall have been used, which shall be covered into the Treasury as a miscellaneous receipt. If when all of the cotton acquired by the Secretary of Agriculture shall have been marketed and all of the obligations incurred with respect to such cotton shall have been discharged, and the Treasury reimbursed for any and all sums which may have been advanced pursuant to subsection (b), there shall remain any balance in the hands of the Secretary of Agriculture, such balance shall be covered into the Treasury as miscellaneous receipts.'

Section 5 of the Agricultural Adjustment Act, as amended, is

amended to read as follows:

"Sec. 5. The Reconstruction Finance Corporation is hereby nance Corporation. Fithorized and directed to advance money and to make loans to the Loans by, for finance control of the country of the countr authorized and directed to advance money and to make loans to the Loans by Secretary of Agriculture for the purpose of providing funds with which to enable the Secretary of Agriculture to perform the duties and functions which he is directed or authorized to perform under the provisions of part 1 of this title, provided such advance of money or such loans shall not be for amounts in excess of the market value of the cotton, or the interest of the Secretary of Agriculture in the cotton, against which the advance or loan is to be made at the time such advance or loan may be applied for by the Secretary of Agriculture, plus costs, expenses, and commissions incurred incidental to handling, carrying, and marketing of such cotton. The Secretary of Agriculture shall not be required to pledge or deposit warehouse receipts or other evidences of title to cotton as security for any advance of money or loans made pursuant hereto, but it shall be sufficient if the Secretary shall give to the Reconstruction Finance Corporation a written statement showing the quantity of cotton by weight and the average grade and staple of the cotton against which the advance or loan is to be made. The amount of notes, bonds, Bond, etc., issue, debentures, and other obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section."

TREASURY DEPARTMENT

OFFICE OF THE SECRETARY

Salaries, Office of the Secretary of the Treasury: For an additional amount for salaries, Office of the Secretary of the Treasury, under the authority contained in sections 512 and 513 of the Revenue Act of 1934, creating the Office of General Counsel for the Use of advances.

Reimbursement of

Balance covered in.

Ante, p. 33.

Limitation.

Security.

Treasury Department.

Secretary's office.

Office of General

Assistants, etc.

Provisos. Funds available.

tion.

available. Ante, p. 279.

Subscriptions.

Banking and cur-

R.S., sec. 3653, p. 719, U.S.C., p. 1010, Federal Reserve banks, expenses.

Deficiencies in Treasurer's accounts.

Ante, pp. 466, 834.

Department of the Treasury, and authorizing the Secretary of the experts, Treasury to appoint and fix the compensation of five assistants at rates of compensation of not to exceed \$10,000 per annum; including necessary traveling expenses, the temporary employment of experts, and the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for conference and advisory purposes in furthering the work of the Department, fiscal year 1935, \$100,000: Provided, That the unexpended balances of appropriations now available for expenditure by the Treasury Department, and the appropriations for such Department for the fiscal year 1935, to the extent applicable to the legal activities of the Department as constituted prior or subsequent to the enactment of the Revenue Act of 1934, shall be available, during the fiscal year for which appropriated, for expenditure, under the direction of the Secretary, to carry out the provisions of section 512 of said Act: Provided further, That, with the exception of any office the rate of compensation for which is specifically fixed by the terms Rate of compensa of section 512, the lawful rate of compensation of any other office or position provided for by sections 512 and 513 of the Revenue Act of 1934 shall not be in excess of \$10,000.

Payments to Federal land banks on account of reductions in interreduced interestrate on mortgages: To enable the Secretary of the Treasury to not gages.

Payments to Federal land banks on account of reductions in interreduced interestrate on mortgages: To enable the Secretary of the Treasury to not gage. pay each Federal land bank such amount as the Farm Loan Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced, in accordance with the provision of section 24 of the Emergency Farm Mortgage Act of 1933, approved May 12, Amount continued 1933 (48 Stat. 31), fiscal year 1935, \$7,950,000: Provided, That the unoversidable. unexpended balance of the appropriation of \$15,000,000 made in the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (48 Stat. 274), for the purposes of said section 24, shall remain available until June 30, 1935.

Subscriptions to paid-in surplus of Federal land banks: For an additional amount to enable the Secretary of the Treasury to pay for subscriptions to the paid-in surplus of Federal land banks under section 23 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), fiscal year 1935, \$75,000,000, to be immediately available.

Banking and currency.

Expenses, Under designated Acts, Proclamations, and Executive Orders.

Ante, pp. 1.

Ante, pp. 337, 341.

Expenses, Emergency Banking Act of 1933, Gold Reserve Act of 1934; For any purpose in connection with the carrying out of the provisions of any Executive orders and proclamations regarding the bank holiday, any regulations issued thereunder, and the provisions of the Emergency Banking Act of 1933, Gold Reserve Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1933, Gold Reserve Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying out of the provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying Orders and Provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying Orders and Provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying Orders and Provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying Orders and Provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying Orders and Provisions of the Emergency Banking Act of 1934; For any purpose in connection with the Carrying Orders ing Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934, approved January 30, 1934 (Public, Numbered 87, Seventy-third Congress), and section 3653 of the Revised Statutes, including

costs of transportation, insurance, and protection of gold coin, gold bullion, and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933; losses sustained by Federal Reserve banks due to abrasion of gold coin, and reimbursement to Federal Reserve banks and branches for expenses incurred by them in carrying out instructions issued by the Secretary of the Treasury after March 4, 1933; and to cover any deficiency in the accounts of the Treasurer of the United States, including interest, as authorized by the Act of March 26, 1934 (Public, Numbered 129, Seventy-third Congress), arising out of the arrangement approved by the President on July

27, 1933; for any purpose in connection with carrying out the Silver Purchase Act Purchase Act of 1934, fiscal year 1935, \$4,500,000, to be expended Post, p. 1178. under the direction and in the discretion of the President and to be

immediately available.

Losses in melting gold: There is hereby appropriated, out of the gold. In melting receipts to be covered into the Treasury under section 7 of the Gold Reserve Act of 1934, approved January 30, 1934 (Public, Numbered 87, Seventy-third Congress), by reason of the reduction of the weight of the gold dollar by the Proclamation of the President of January 31, 1934, an amount sufficient to cover the difference between the value of gold as carried in the general account of the Treasurer of the United States and the value of such gold after melting and refining thereof pursuant to the provisions of the Gold Reserve Act of 1934.

BUREAU OF INTERNAL REVENUE

Collecting the internal revenue: For an additional amount for expenses of assessing and collecting the internal-revenue taxes, including the same objects specified under this head, and under the head "Salaries and expenses, Bureau of Industrial Alcohol", in the Treasury Department Appropriation Act, 1935, and including so much as may be necessary for the compensation of one additional commissioner. deputy commissioner, to be immediately available, \$10,000,000; of which not to exceed \$800,000 may be expended for personal services in the Disin the District of Columbia, and not to exceed \$71,250 for the purchase of passenger-carrying automobiles to be used on official business: Provided, That after December 1, 1934, no part of the Competitive appointment of personnel. appropriation made herein or heretofore made for the fiscal year 1935 shall be used to pay the salary of any person formerly employed as investigator, special agent, senior warehouseman, deputy prohibition administrator, agent, assistant attorney, assistant prohibition administrator, senior investigator, deputy production administrator, storekeeper or gauger, or any other position in the Prohibition Bureau or Alcoholic Beverage Unit, Department of Justice, who was separated from the service of such Bureau or Unit between June 10, 1933, and December 31, 1933, while in any such position in the Treasury Department, unless and until such person shall be appointed thereto as a result of an open, competitive examination to be hereafter held by the Civil Service Commission.

Internal Revenue Bureau.

Collections. Ante, p. 429.

SECRET SERVICE DIVISION

Suppressing counterfeiting and other crimes: For an additional amount for suppressing counterfeiting and other crimes, fiscal year 1935, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, \$45,000.

Secret Service Divi-Counterfeiting, etc.

PROCUREMENT DIVISION, PUBLIC WORKS BRANCH

Public buildings: For emergency construction of public-building Public projects outside of the District of Columbia (including the acquisition. tion, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the demolition of old buildings where necessary and the construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this paragraph), \$65,000,000; such projects, including

Procurement Divi-sion, Public Works Branch. Public building building

Preparation of plans,

Temporary t cal, etc., services.

Contracts for public buildings.

Appropriation for

Proviso. Reno, Nev., retain-Provise Reno, ing wall.

Citation of title.

the sites therefor, to be selected by the Secretary of the Treasury and the Postmaster General, acting jointly, from the public-building projects specified in Statements Numbered 2 and 3 incorporated in House Report Numbered 1879, Seventy-third Congress, pages 24 to Projects to be within 40, inclusive, and projects selected shall be carried out within the estimate, etc. respective estimated or proposed limits of cost specified in such statements except as such limits are authorized to be modified by the provisions of the next paragraph: *Provided*, That with a view to Provises.
Equitable distribution, for relieving under the Postmaster General, in the selection of towns or cities in and the Postmaster General, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Secretary of the Treasury and the Postmaster General may also select for prosecution under this appropriation such projects not included in such report as in their judgment are economically sound and advantageous to the public service: Provided further, That the Secretary of the

Treasury is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts, necessary for carrying out the purposes of this paragraph, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by technic contract or otherwise, temporary professional, technical, or nontechnical employees, firms or corporations, to such extent as may be required to carry out the purposes of this paragraph, without reference to civil-service laws, rules, and regulations, or to the Classification Act of 1923, as amended, or to section 3709 of the Revised Acquiring sites for Statutes of the United States: Provided further, That in the acquisition; use of standard tion of any land or sites for the purposes of Federal public buildings plans, etc. Vol. 47, pp. 722, 724, and in the construction of such buildings provided for in this paragraph, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

In order to permit the Secretary of the Treasury to enter into

contracts when the bid of the lowest responsible bidder received in Execution where bids response to public advertisement exceeds the amount available for exceed available sums. any project selected under the preceding paragraph and/or for projects for which allotment has been heretofore, or may hereafter be, made to the Treasury Department for public buildings construction by the Federal Emergency Administration of Public Works (which allotments shall remain available for the execution of the projects concerned unless released by the Secretary of the Treasury), there shall be made available by the Federal Emergency Administration of Public Works an additional sum of \$2,500,000 out of any unobligated funds under the control of such Administration, which total sum shall be transferred immediately upon the enactment of this Act to the Treasury Department and, when approved by the President, may be used in the discretion of the Secretary of the Treasury to enter into contracts for public buildings in an amount not exceeding, in any one case, 10 per centum in excess of the amount available therefor: *Provided further*, That not exceeding \$30,000 of the sum herein appropriated shall be expended for construction of a retaining wall and/or improvement of grounds of Federal Building at Reno, Nevada.

Sec. 2. This title may be cited as the "Emergency Appropriation Act, fiscal year 1935."

Approved, June 19, 1934.

[CHAPTER 649.]

AN ACT

To authorize the Secretary of the Navy to make a long-term contract for the supply of water to the United States naval station at Guantanamo Bay,

June 19, 1934. [S. 504.] [Public, No. 413.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary Guantanamo Bay, of the Navy be, and he is hereby, authorized and empowered, at the Contracts for water discretion, to negotiate and enter into a long-term contract without supply authorized. regard to fiscal year, with the lowest responsible and capable bidder, to be determined by the Secretary of the Navy, for supplying the United States naval station at Guantanamo Bay, Cuba, with an adequate and satisfactory supply of water, suitable for all purposes, delivered into the water-storage reservoirs within said naval station, in such an amount as he shall deem adequate for the present and future needs of the station, and at such annual cost or rental as in his judgment may be for the best interests of the Government. Any contract entered into pursuant to the provisions of this Act shall contain a provision authorizing the Secretary of the Navy within a reasonable period of time prior to the expiration of such contract to extend the contract for such additional period and on ized. such terms as in his judgment may be for the best interests of the Government but in no event at a higher cost to the Government than under the existing contract, and said Secretary is hereby authorized to enter into such extension.

Contract provision.

Extension author-

Effective date of Act.

Sec. 2. This Act shall become effective immediately upon its passage and approval.

Approved, June 19, 1934.

CHAPTER 650.1

AN ACT

To amend the Act entitled "An Act to amend section 217, as amended, of the o amend the Act entitled "An Act to amend section 217, as amended, of the Act entitled 'An Act to codify, revise, and amend the penal laws of the United States', approved March 4, 1909", approved January 11, 1929, with respect to the use of the mails for the shipment of certain drugs and medicines to cosmetologists and barbers.

June 19, 1934. [S. 822] [Public, No. 414.]

Be it enacted by the Senate and House of Representatives of the viso in the first sentence of the Act entitled "An Act to amend to prosection 217, as amended, of the Act entitled 'An Act to codify, revise, and amend the penal laws of the United States' approved Manager 1, 2500. The codify of the Act entitled 'An Act to codify, revise, vii, p. 350. and amend the penal laws of the United States', approved March 4, 1909", approved January 11, 1929, is amended to read as follows:

"Provided, That the transmission in the mails of poisonous drugs and medicines may be limited by the Postmaster General to ship-drugs in mails. ments of such articles from the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, cosmetologists, barbers, and veterinarians, under such rules and regulations as he shall prescribe:"

Approved, June 19, 1934.

73d CONGRESS. SESS. II. CHS. 651, 652. JUNE 19, 1934.

[CHAPTER 651.]

AN ACT

June 19, 1934. [S. 3040.] [Public, No. 415.]

To give the Supreme Court of the United States authority to make and publish rules in actions at law.

Supreme Court of United States. Power to prescribe rules in civil actions at

Be it enacted by the Senate and House of Representatives of the Court of United States of America in Congress assembled, That the Supreme Court of the United States shall have the power to prescribe, by general rules, for the district courts of the United States and for the courts of the District of Columbia, the forms of process, writs, pleadings, and motions, and the practice and procedure in civil actions at law. Said rules shall neither abridge, enlarge, nor modify the substantive rights of any litigant. They shall take effect six months after their promulgation, and thereafter all laws in conflict

Rights of litigant. Effective date.

Rules in equity and law may be united.

jury.

Effective date united rules.

therewith shall be of no further force or effect.

SEC. 2. The court may at any time unite the general rules prescribed by it for cases in equity with those in actions at law so as to secure one form of civil action and procedure for both: Provided, Proviso. to secure one form of civil action and procedure for both. I roomen, Right of trial by however, That in such union of rules the right of trial by jury as at common law and declared by the seventh amendment to the Constitution shall be preserved to the parties inviolate. Such united rules shall not take effect until they shall have been reported to Congress by the Attorney General at the beginning of a regular session thereof and until after the close of such session.

Approved, June 19, 1934.

[CHAPTER 652.]

AN ACT

June 19, 1934. [S. 3285.] [Public, No. 416.]

To provide for the regulation of interstate and foreign communication by wire or radio, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Communications Act of 1934

TITLE I—GENERAL PROVISIONS

Purposes of Act.

PURPOSES OF ACT; CREATION OF FEDERAL COMMUNICATIONS COMMISSION

Section 1. For the purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges, for the purpose of the national defense, and for the purpose of securing a more effective execution of this policy by centralizing authority heretofore granted by law to several agencies and by granting additional authority with respect to interstate and foreign commerce in wire and radio communication, there is hereby created a commission to be known as the "Federal Communications Commission", which shall be constituted as hereinafter provided, and which shall execute and enforce the provisions of this Act.

Federal Communica-ons Commission cretions ated.

Application of Act.

APPLICATION OF ACT

To interstate and foreign communication by wire or radio and all interstate and energy by radio.

Sec. 2. (a) The provisions of this Act shall apply to all interstate and energy by radio. Persons to whom applicable.

Persons to whom applicable.

Foreign transmission of energy by radio, which originates and/or splicable.

Foreign transmission of energy by radio, which originates and/or splicable.

Foreign transmission of energy by radio, which originates and/or splicable.

Foreign transmission of energy by radio, which originates and/or splicable. sion of energy by radio, and to the licensing and regulating of all radio stations as hereinafter provided; but it shall not apply to persons engaged in wire or radio communication or transmission in the Philippine Islands or the Canal Zone, or to wire or radio communication or transmission wholly within the Philippine Islands

or the Canal Zone.

(b) Subject to the provisions of section 301, nothing in this Act Limitation on jurisshall be construed to apply or to give the Commission jurisdiction with respect to (1) charges, classifications, practices, services, facilities, or regulations for or in connection with intrastate communication service of any carrier, or (2) any carrier engaged in interstate or foreign communication solely through physical connection with the facilities of another carrier not directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carrier; except that sections 201 to 205 of this Act, both inclusive, shall, except as otherwise provided therein, apply to carriers described in clause (2).

Exception.

Post, p. 1081.

Post, p. 1070.

Definitions.

DEFINITIONS

Sec. 3. For the purposes of this Act, unless the context otherwise

the transmission of writing, signs, signals, pictures, and sounds of tion by wire."

all kinds by aid of wire, cable, or other like connection between the points of origin and recention of such transmission. all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.

(b) "Radio communication" or "communication by radio" means "Radio communication"; "communication by radio of writing, signs, signals, pictures, and tion by radio." sounds of all kinds, including all instrumentalities, facilities, apparatus, and services (among other things, the receipt, forwarding, and delivery of communications) incidental to such transmission.

(c) "Licensee" means the holder of a radio station license granted

or continued in force under authority of this Act.

(d) "Transmission of energy by radio" or "radio transmission ergy by radio"; "radio transmission of energy" includes both such transmission and all instrumentalities, transmission of energy."

facilities, and services incidental to such transmission.

(e) "Interstate communication" or "interstate transmission" "Interstate communication"; "interstate transmission"; "interstate transmission"; "interstate transmission"; "interstate transmission"." or possession of the United States (other than the Philippine Islands and the Canal Zone), or the District of Columbia, to any other State, Territory, or possession of the United States (other than the Philippine Islands and the Canal Zone), or the District of Columbia, (2) from or to the United States to or from the Philippine Islands or the Canal Zone, insofar as such communication or transmission takes place within the United States, or (3) between points within the United States but through a foreign country; but shall not include wire communication between points within the same State, Territory, or possession of the United States, or the District of Columbia, through any place outside thereof, if such communication is regulated by a State commission.

(f) "Foreign communication" or "foreign transmission" means communication or transmission from or to any place in the United cation" foreign transmission." States to or from a foreign country, or between a station in the United States and a mobile station located outside the United

(g) "United States" means the several States and Territories, the District of Columbia, and the possessions of the United States, but does not include the Philippine Islands or the Canal Zone.

"Licensee."

"United States."

"Common carrier";

(h) "Common carrier" or "carrier" means any person engaged as a common carrier for hire, in interstate or foreign communication by wire or radio or in interstate or foreign radio transmission of energy, except where reference is made to common carriers not subject to this Act; but a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier.

"Person."

(i) "Person" includes an individual, partnership, association,

"Corporation."

joint-stock company, trust, or corporation.

(j) "Corporation" includes any corporation, joint-stock com-

"Radio station"; "station

pany, or association.

(k) "Radio station" or "station" means a station equipped to engage in radio communication or radio transmission of energy.

"Mobile station."

(1) "Mobile station" means a radio-communication station capable of being moved and which ordinarily does move.

(m) "Land station" means a station, other than a mobile sta-

"Land stations."

tion, used for radio communication with mobile stations.

"Mobile service."

(n) "Mobile service" means the radio-communication service carried on between mobile stations and land stations, and by mobile

"Broadcasting."

stations communicating among themselves.

(o) "Broadcasting" means the dissemination of radio communications intended to be received by the public, directly or by the intermediary of relay stations.

"Chain broadcast-

(p) "Chain broadcasting" means simultaneous broadcasting of

an identical program by two or more connected stations.

"Amateur station."

(q) "Amateur station" means a radio station operated by a duly authorized person interested in radio technique solely with a personal

"Telephone exchange service.

aim and without pecuniary interest.
(r) "Telephone exchange service" means service within a telephone exchange, or within a connected system of telephone exchanges within the same exchange area operated to furnish to subscribers intercommunicating service of the character ordinarily furnished by a single exchange, and which is covered by the exchange service charge.

"Telephone toll serv-

(s) "Telephone toll service" means telephone service between stations in different exchange areas for which there is made a separate charge not included in contracts with subscribers for exchange service.

"State commission."

(t) "State commission" means the commission, board, or official (by whatever name designated) which under the laws of any State has regulatory jurisdiction with respect to intrastate operations of carriers.

"Connecting car-

(u) "Connecting carrier" means a carrier described in clause (2) of section 2 (b).

"State."

(v) "State" includes the District of Columbia and the Territories and possessions.

PROVISIONS RELATING TO THE COMMISSION

Federal Communica-tions Commission. Composition; appointment.

SEC. 4. (a) The Federal Communications Commission (in this Act referred to as the "Commission") shall be composed of seven commissioners appointed by the President, by and with the advice and consent of the Senate, one of whom the President shall designate as chairman.

Qualifications.
Citizenship.
Citizenship.
Cinical interests
Citizenship.
Citizenshi (b) Each member of the Commission shall be a citizen of the employ shall be financially interested in the manufacture or sale of radio apparatus or of apparatus for wire or radio communication; in communication by wire or radio or in radio transmission of

energy; in any company furnishing services or such apparatus to any company engaged in communication by wire or radio or to any company manufacturing or selling apparatus used for communication by wire or radio; or in any company owning stocks, bonds, or other securities of any such company; nor be in the employ of or hold any official relation to any person subject to any of the provisions of this Act, nor own stocks, bonds, or other securities of any corporation subject to any of the provisions of this Act. Such commissioners shall not engage in any other business, vocation, or employment. Not more than four commissioners shall be members of the same political

(c) The commissioners first appointed under this Act shall continue in office for the terms of one, two, three, four, five, six, and seven years, respectively, from the date of the taking effect of this Act, the term of each to be designated by the President, but their successors shall be appointed for terms of seven years; except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds. No vacancy in the Commission shall impair the right of the remaining com-

missioners to exercise all the powers of the Commission.

(d) Each commissioner shall receive an annual salary of \$10,000,

payable in monthly installments.

(e) The principal office of the Commission shall be in the District of Columbia, where its general sessions shall be held; but whenever the convenience of the public or of the parties may be promoted or delay or expense prevented thereby, the Commission may hold

special sessions in any part of the United States.

(f) Without regard to the civil-service laws or the Classification commission. Act of 1923, as amended, (1) the Commission may appoint and prescribe the duties and fix the salaries of a secretary, a director director, chief engineer and assistants. for each division, a chief engineer and not more than three assistants, a general counsel and not more than three assistants, and temporary counsel designated by the Commission for the performance of special services, and (2) each commissioner may appoint and prescribe the duties of a secretary at an annual salary not to exceed \$4,000. The general counsel and the chief engineer shall each receive an annual salary of not to exceed \$9,000; the secretary shall receive an annual salary of not to exceed \$7,500; the director of each division shall receive an annual salary of not to exceed \$7,500; and no assistant shall receive an annual salary in excess of \$7,500. The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, to appoint such other officers, engineers, inspectors, attorneys, examiners, and other employees as are necessary in the execution of its functions.

(g) The Commission may make such expenditures (including ized. expenditures for rent and personal services at the seat of government and elsewhere, for office supplies, law books, periodicals, and books of reference, and for printing and binding) as may be necessary for the execution of the functions vested in the Commission and as from time to time may be appropriated for by Congress. All expensions ditures of the Commission, including all necessary expenses for transportation incurred by the commissioners or by their employees, under their orders, in making any investigation or upon any official business in any other places than in the city of Washington, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the chairman of the Commission or by such other member or officer thereof as may be designated by the Commission

for that purpose.

Political affiliations.

Terms of office.

Successors. Vacancies. Effect of.

Compensation.

Principal office.

Salaries.

1068

73d CONGRESS. SESS. II. CH. 652. JUNE 19, 1934.

Quorum. Seal.

Rules and regulations.

Proceedings of Com-

Records.

report to Annual Congress.

Reports of investigations

Publication of.

Rates of compensa-tion; deductions.

Divisions of Commission.

Number authorized.

Assignment of Commissioners.

Vacancies.

Assignment of work to division.

(h) Four members of the Commission shall constitute a quorum thereof. The Commission shall have an official seal which shall be judicially noticed.

(i) The Commission may perform any and all acts, make such rules and regulations, and issue such orders, not inconsistent with

this Act, as may be necessary in the execution of its functions.

(j) The Commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice. No commissioner shall participate in any hearing or proceeding in which he has a pecuniary interest. Any party may appear before the Commission and be heard in person or by attorney. Every vote and official act of the Commission shall be entered of record, and its proceedings shall be public upon the request of any party interested. The Commission is authorized to withhold publication of records or proceedings containing secret information affecting the national defense.

(k) The Commission shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted Information to con- to Congress. Such report shall contain such information and data collected by the Commission as may be considered of value in the determination of questions connected with the regulation of interstate and foreign wire and radio communication and radio transmission of energy, together with such recommendations as to additional legislation relating thereto as the Commission may deem necessary: Pro-Special report, February 1, 1935, recommending such amendments to this Act as it deems desirable in the public interest.

(1) All reports of investigations made by the Commission shall be entered of record, and a copy thereof shall be furnished to the party who may have complained, and to any common carrier or licensee that may have been complained of.

(m) The Commission shall provide for the publication of its reports and decisions in such form and manner as may be best adapted for public information and use, and such authorized publications shall be competent evidence of the reports and decisions of the Commission therein contained in all courts of the United States and of the several States without any further proof or authentication thereof.

(n) Rates of compensation of persons appointed under this section shall be subject to the reduction applicable to officers and employees of the Federal Government generally.

DIVISIONS OF THE COMMISSION

Sec. 5. (a) The Commission is hereby authorized by its order to divide the members thereof into not more than three divisions, each to consist of not less than three members. Any commissioner may be assigned to and may serve upon such division or divisions as the Commission may direct, and each division shall choose its own chair-In case of a vacancy in any division, or of absence or inability to serve thereon of any commissioner thereto assigned, the chairman of the Commission or any commissioner designated by him for that purpose may temporarily serve on said division until the Commis-

sion shall otherwise order. (b) The Commission may by order direct that any of its work, business, or functions arising under this Act, or under any other Act of Congress, or in respect of any matter which has been or may be referred to the Commission by Congress or by either branch thereof, be assigned or referred to any of said divisions for action thereon, and may by order at any time amend, modify, supplement, or rescind any such direction. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the

(c) In conformity with and subject to the order or orders of the Commission in the premises, each division so constituted shall have executing assigned power and authority by a majority thereof to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to it for action by the Commission, and in respect thereof the division shall have all the jurisdiction and powers now or then conferred by law upon the Commission, and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any of said divisions in respect of any matters so assigned or referred to it shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made, or taken by the Commission, subject to rehearing by the Commission as provided in section 405 of this Act for rehearing cases decided by the Commission. secretary and seal of the Commission shall be the secretary and seal

(d) Nothing in this section contained, or done pursuant thereto, shall be deemed to divest the Commission of any of its powers.

of each division thereof.

(e) The Commission is hereby authorized by its order to assign or refer any portion of its work, business, or functions arising under this or any other Act of Congress or referred to it by Congress, or either branch thereof, to an individual commissioner, or to a board composed of an employee or employees of the Commission, to be designated by such order, for action thereon, and by its order at any time to amend, modify, supplement, or rescind any such assignment or reference: Provided, however, That this authority shall not extend to investigations instituted upon the Commission's own motion investigations or extend to investigations instituted upon the Commission's own motion investigations or extend to investigations or extend to contested proceed. or, without the consent of the parties thereto, to contested proceedings involving the taking of testimony at public hearings, or to investigations specifically required by this Act. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the Commission. In case of the absence or inability for any other reason to act of any such individual commissioner or employee designated to serve upon any such board, the chairman of the Commission may designate another commissioner or employee, as the case may be, to serve temporarily until the Commission shall otherwise order. In conformity with and subject to the order or orders of the Commission in the premises, any such individual commissioner, or board acting by a majority thereof, shall have power and authority to hear and determine and authority to hear and determine and authority to hear and determine and authority. and authority to hear and determine, order, certify, report, or otherwise act as to any of said work, business, or functions so assigned or referred to him or it for action by the Commission and in respect thereof shall have all the jurisdiction and powers now or then conferred by law upon the Commission and be subject to the same duties and obligations. Any order, decision, or report made or other action taken by any such individual commissioner or board in respect of any matters so assigned or referred shall have the same force and effect, and may be made, evidenced, and enforced in the same manner as if made or taken by the Commission. Any party affected by any Petition for rehearing order, decision, or report of any such individual commissioner or by affected party. board may file a petition for rehearing by the Commission or a division thereof and every such petition shall be passed upon by the Commission or a division thereof. Any action by a division upon such a petition shall itself be subject to rehearing by the Commis-by a division.

Post, p. 1095. sion, as provided in section 405 of this Act and in subsection (c).

Assignment orders.

Jurisdiction

Rehearing Post, p. 1095.

Assignment of work to Commissioner.

Restriction in case of

Assignment orders, effectiveness.

Vacancies.

Rehearing on action

Rules governing con- The Commission may make and amend rules for the conduct of duct of proceedings. proceedings before such individual commissioner or board and for the rehearing of such action before a division of the Commission or the Commission. The secretary and seal of the Commission shall be the secretary and seal of such individual commissioner or board.

Common Carriers.

TITLE II—COMMON CARRIERS

Service and charges.

SERVICE AND CHARGES

Duty of common carrier to furnish.

Section 201. (a) It shall be the duty of every common carrier engaged in interstate or foreign communication by wire or radio to furnish such communication service upon reasonable request therefor; and, in accordance with the orders of the Commission, in cases where the Commission, after opportunity for hearing, finds such action necessary or desirable in the public interest, to establish physical connections with other carriers, to establish through routes and charges applicable thereto and the divisions of such charges, and to establish and provide facilities and regulations for operating such through routes.

Charges, etc., for communication serv-

Proviso. Classification of communications.

Different charges authorized.

Common carrier contracts for exchange of services permitted.

(b) All charges, practices, classifications, and regulations for and in connection with such communication service, shall be just and reasonable, and any such charge, practice, classification, or regulation that is unjust or unreasonable is hereby declared to be unlawful: Provided, That communications by wire or radio subject to this Act may be classified into day, night, repeated, unrepeated, letter, commercial, press, Government, and such other classes as the Commission may decide to be just and reasonable, and different charges may be made for the different classes of communications: Provided further, That nothing in this Act or in any other provision of law shall be construed to prevent a common carrier subject to this Act from entering into or operating under any contract with any common carrier not subject to this Act, for the exchange of their services, if the Commission is of the opinion that such contract is not contrary to the public interest.

Discrimination and preferences

DISCRIMINATION AND PREFERENCES

Unlawful to make in charges, services, etc.

Sec. 202. (a) It shall be unlawful for any common carrier to make any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities, or services for or in connection with like communication service, directly or indirectly, by any means or device, or to make or give any undue or unreasonable preference or advantage to any particular person, class of persons, or locality, or to subject any particular person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage.

Charges or services, construed.

(b) Charges or services, whenever referred to in this Act, include charges for, or services in connection with, the use of wires in chain broadcasting or incidental to radio communication of any kind.

Penalty for violation.

(c) Any carrier who knowingly violates the provisions of this section shall forfeit to the United States the sum of \$500 for each such offense and \$25 for each and every day of the continuance of such offense.

Schedules of charges.

SCHEDULES OF CHARGES

Filing with Commission.

Sec. 203. (a) Every common carrier, except connecting carriers, shall, within such reasonable time as the Commission shall designate, Information to con- file with the Commission and print and keep open for public inspection schedules showing all charges for itself and its connecting

carriers for interstate and foreign wire or radio communication between the different points on its own system, and between points on its own system and points on the system of its connecting carriers or points on the system of any other carrier subject to this Act when a through route has been established, whether such charges are joint or separate, and showing the classifications, practices, and regulations affecting such charges. Such schedules shall contain such other information, and be printed in such form, and be posted and kept open for public inspection in such places, as the Commission may by regulation require, and each such schedule shall give notice of its effective date; and such common carrier shall furnish such schedules to each of its connecting carriers, nished connecting carand such connecting carriers shall keep such schedules open for riers. inspection in such public places as the Commission may require.

(b) No change shall be made in the charges, classifications, regulations, or practices which have been so filed and published except charges, etc. (b) No change shall be made in the charges, classifications, reguafter thirty days' notice to the Commission and to the public, which shall be published in such form and contain such information as the Commission may by regulations prescribe; but the Commission may, Modification of rein its discretion and for good cause shown, modify the requirements made by or under authority of this section in particular instances or by a general order applicable to special circumstances or conditions.

- (c) No carrier, unless otherwise provided by or under authority of this Act, shall engage or participate in such communication unless schedules have been filed and published in accordance with the provisions of this Act and with the regulations made thereunder; and no carrier shall (1) charge, demand, collect, or receive a greater or less or different compensation for such communication, or for any service in connection therewith, between the points named in any such schedule than the charges specified in the schedule then in effect, or (2) refund or remit by any means or device any portion of the charges so specified, or (3) extend to any person any privileges or facilities in such communication, or employ or enforce any classifications, regulations, or practices affecting such charges, except as specified in such schedule.
- (d) The Commission may reject and refuse to file any schedule entered for filing which does not provide and give lawful notice of its effective date. Any schedule so rejected by the Commission shall be void and its use shall be unlawful.
- (e) In case of failure or refusal on the part of any carrier to comply with the provisions of this section or of any regulation or order made by the Commission thereunder, such carrier shall forfeit to the United States the sum of \$500 for each such offense, and \$25 for each and every day of the continuance of such offense.

HEARING AS TO LAWFULNESS OF NEW CHARGES; SUSPENSION

Sec. 204. Whenever there is filed with the Commission any new charge, classification, regulation, or practice, the Commission may either upon complaint or upon its own initiative without complaint, upon reasonable notice, enter upon a hearing concerning the lawfulness thereof; and pending such hearing and the decision thereon the Commission, upon delivering to the carrier or carriers affected Temporary suspenthereby a statement in writing of its reasons for such suspension. may suspend the operation of such charge, classification, regulation, or practice, but not for a longer period than three months beyond the time when it would otherwise go into effect; and after full hearing the Commission may make such order with reference thereto as

Regulations

Prohibited acts.

Rejection of schedule.

Penalty provision.

New charges.

Hearing upon law-fulness,

Notice.

Effectiveness of would be proper in a proceeding initiated after it had become effectuage if order not is sued during suspension tive. If the proceeding has not been concluded and an order made within the period of the suspension, the proposed change of charge, classification, regulation, or practice shall go into effect at the end of Account of amounts received in case of in creased charge, the Commiscreased charge. sion may by order require the interested carrier or carriers to keep accurate account of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts are paid, and upon completion of the hearing and decision may by further order require the interested carrier or carriers to refund, with interest, to the persons in whose behalf such amounts were paid, such portion of such increased charges as by its decision shall be found not justified. Burden of proof in justifying increased. At any hearing involving a charge increased, or sought to be charge.

increased, after the organization of the Commission, the burden of increased, after the organization of the Commission, the burden of proof to show that the increased charge, or proposed increased charge, is just and reasonable shall be upon the carrier, and the Commission shall give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.

Charges.

COMMISSION AUTHORIZED TO PRESCRIBE JUST AND REASONABLE CHARGES

Determination of reasonable charges by Commission.

Sec. 205. (a) Whenever, after full opportunity for hearing, upon a complaint or under an order for investigation and hearing made by the Commission on its own initiative, the Commission shall be of opinion that any charge, classification, regulation, or practice of any carrier or carriers is or will be in violation of any of the provisions of this Act, the Commission is authorized and empowered to determine and prescribe what will be the just and reasonable charge or the maximum or minimum, or maximum and minimum, charge or charges to be thereafter observed, and what classification, regulation, or practice is or will be just, fair, and reasonable, to be thereafter followed, and to make an order that the carrier or carriers shall cease and desist from such violation to the extent that the Commission finds that the same does or will exist, and shall not thereafter publish, demand, or collect any charge other than the charge so prescribed, or in excess of the maximum or less than the minimum so prescribed, as the case may be, and shall adopt the classification and shall conform to and observe the regulation or practice so prescribed.

Cease and desist orders.

Penalty provision.

(b) Any carrier, any officer, representative, or agent of a carrier, or any receiver, trustee, lessee, or agent of either of them, who knowingly fails or neglects to obey any order made under the provisions of this section shall forfeit to the United States the sum of \$1,000 for each offense. Every distinct violation shall be a separate offense, and in case of continuing violation each day shall be deemed a separate offense.

Liability of carriers or damages.

LIABILITY OF CARRIERS FOR DAMAGES

Amount.

Sec. 206. In case any common carrier shall do, or cause or permit to be done, any act, matter, or thing in this Act prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this Act required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this Act, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case.

RECOVERY OF DAMAGES

Recovery of damages.

SEC. 207. Any person claiming to be damaged by any common Complaint to Commission. carrier subject to the provisions of this Act may either make complaint to the Commission as hereinafter provided for, or may bring suit for the recovery of the damages for which such common carrier may be liable under the provisions of this Act, in any district court trict courts. of the United States of competent jurisdiction; but such person shall not have the right to pursue both such remedies.

Jurisdiction of dis-

COMPLAINTS TO THE COMMISSION

Complaints to Com-

Sec. 208. Any person, any body politic or municipal organization, state plaint. or State commission, complaining of anything done or omitted to be done by any common carrier subject to this Act, in contravention of the provisions thereof, may apply to said Commission by petition which shall briefly state the facts, whereupon a statement of the complaint thus made shall be forwarded by the Commission to ward to carrier. Such common carrier, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time to be specified by the Commission. If such common carrier within time specified the time specified shall make reparation for the injury alleged to reparation made. the time specified shall make reparation for the injury alleged to have been caused, the common carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such carrier or carriers shall not satisfy the complaint by Commission. Investigation of complaint within the time specified or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the Commission to investigate the matters complained of in such manner and by such means as it shall deem proper. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

Statement of com-

ORDERS FOR PAYMENT OF MONEY

Orders for payment of money.

SEC. 209. If, after hearing on a complaint, the Commission shall when finding for comdetermine that any party complainant is entitled to an award of plainant. damages under the provisions of this Act, the Commission shall make an order directing the carrier to pay to the complainant the sum to which he is entitled on or before a day named.

FRANKS AND PASSES

Franks and passes.

SEC. 210. Nothing in this Act or in any other provision of law exchange. Right of carriers to shall be construed to prohibit common carriers from issuing or giving franks to, or exchanging franks with each other for the use of, their officers, agents, employees, and their families, or, subject to such rules as the Commission may prescribe, from issuing, giving, or exchanging franks and passes to or with other common carriers not subject to the provisions of this Act, for the use of their officers, agents, employees, and their families. The term "employees", as strued. used in this section, shall include furloughed, pensioned, and superannuated employees.

"Employees", con-

SEC. 211. (a) Every carrier subject to this Act shall file with the ommission copies of all contracts, agreements or arriers. Commission copies of all contracts, agreements, or arrangements Copies filed with with other carriers, or with common carriers not subject to the provisions of this Act, in relation to any traffic affected by the provisions of this Act to which it may be a party.

Other contracts of

(b) The Commission shall have authority to require the filing of any other contracts of any carrier, and shall also have authority to exempt any carrier from submitting copies of such minor contracts as the Commission may determine.

Interlocking directo-

INTERLOCKING DIRECTORATES-OFFICIALS DEALING IN SECURITIES

Unlawful, unless Commission author-

SEC. 212. After sixty days from the enactment of this Act it shall be unlawful for any person to hold the position of officer or director of more than one carrier subject to this Act, unless such holding shall have been authorized by order of the Commission, upon due showing in form and manner prescribed by the Commission, that neither public nor private interests will be adversely

Unlawful dealing in affected thereby. After this section takes effect it shall be unlawful for any officer or director of any cuch commission, for any officer or director of any such carrier to receive for his own benefit, directly or indirectly, any money or thing of value in respect of negotiation, hypothecation, or sale of any securities issued or to be issued by such carrier, or to share in any of the proceeds thereof, or to participate in the making or paying of any dividends of such carrier from any funds properly included in capital account.

Carrier property.

VALUATION OF CARRIER PROPERTY

Valuation of, by Commission.

Sec. 213. (a) The Commission may from time to time, as may be necessary for the proper administration of this Act, and after opportunity for hearing, make a valuation of all or of any part of the property owned or used by any carrier subject to this Act, as of

Inventories.

Information to con-

Statement of original cost.

Classification of property.

cost cannot be deter-mined. Report when original

Estimates.

Report when puroriginal cost.

Expense of obtaining asement, license, or franchise.

such date as the Commission may fix. (b) The Commission may at any time require any such carrier to file with the Commission an inventory of all or of any part of the property owned or used by said carrier, which inventory shall

show the units of said property classified in such detail, and in such manner, as the Commission shall direct, and shall show the estimated cost of reproduction new of said units, and their reproduction cost new less depreciation, as of such date as the Commission may direct; and such carrier shall file such inventory within such reasonable time as the Commission by order shall require.

(c) The Commission may at any time require any such carrier to file with the Commission a statement showing the original cost at the time of dedication to the public use of all or of any part of the property owned or used by said carrier. For the showing of such original cost said property shall be classified, and the original cost shall be defined, in such manner as the Commission may prescribe; and if any part of such cost cannot be determined from accounting or other records, the portion of the property for which such cost cannot be determined shall be reported to the Commission. sion; and, if the Commission shall so direct, the original cost thereof shall be estimated in such manner as the Commission may prescribe. If the carrier owning the property at the time such original cost is reported shall have paid more or less than the original cost to acquire the same, the amount of such cost of acquisition, and any facts which the Commission may require in connection therewith, shall be reported with such original cost. The report made by a Sources of original carrier under this paragraph shall show the source or sources from costreport to be shown. Which the original cost which the original cost reported was obtained, and such other information as to the manner in which the report was prepared, as the Commission shall require.

(d) Nothing shall be included in the original cost reported for the property of any carrier under paragraph (c) of this section on account of any easement, license, or franchise granted by the United

States or by any State or political subdivision thereof, beyond the reasonable necessary expense lawfully incurred in obtaining such easement, license, or franchise from the public authority aforesaid, which expense shall be reported separately from all other costs in such detail as the Commission may require; and nothing shall be included in any valuation of the property of any carrier made by the Commission on account of any such easement, license, or franchise, beyond such reasonable necessary expense lawfully incurred as aforesaid.

(e) The Commission shall keep itself informed of all new construction, extensions, improvements, retirements, or other changes insistent to keep instance. in the condition, quantity, use, and classification of the property of common carriers, and of the cost of all additions and betterments thereto and of all changes in the investment therein, and may keep itself informed of current changes in costs and values of carrier

properties.

(f) For the purpose of enabling the Commission to make a valua- Carrier to furnish intion of any of the property of any such carrier, or to find the orig-valuation of property. inal cost of such property, or to find any other facts concerning the same which are required for use by the Commission, it shall be the duty of each such carrier to furnish to the Commission, within such reasonable time as the Commission may order, any information with respect thereto which the Commission may by order require, including copies of maps, contracts, reports of engineers, and other tracts, reports, etc. data, records, and papers, and to grant to all agents of the Commission free access to its property and its accounts, records, and memoranda whenever and wherever requested by any such duly authorized agent, and to cooperate with and aid the Commission in the work of making any such valuation or finding in such manner and to such extent as the Commission may require and direct, and all rules and regulations made by the Commission for the purpose of adminisotherwise ordered by the Commission, with the reasons therefor, tion.

Records and data of the Commission shall be accorded by the Commiss the records and data of the Commission shall be open to the inspec-tion and examination of the public. The Commission, in making any such valuation, shall be free to adopt any method of valuation which shall be lawful.

(g) Notwithstanding any provision of this Act the Interstate Commission.

Ommerce Commission, if requested to do so by the Commission, Valuation of prop-Commerce Commission, if requested to do so by the Commission, shall complete, at the earliest practicable date, such valuations of properties of carriers subject to this Act as are now in progress, and shall thereafter transfer to the Commission the records relating

(h) Nothing in this section shall impair or diminish the powers of State commissions. of any State commission.

Method of valuation.

EXTENSION OF LINES

Sec. 214. (a) No carrier shall undertake the construction of a new line or of an extension of any line, or shall acquire or operate any line, or extension thereof, or shall engage in transmission over or by means of such additional or extended line, unless and until there shall first have been obtained from the Commission a certificate that the present or future public convenience and necessity require or will require the construction, or operation, or construction and operation, of such additional or extended line: Provided, That no such certificate shall be required under this section for the construction, acquisition, required.

operation, or extension of (1) a line within a single State. line constitutes part of an interstate line, (2) local, branch, or terminal lines not exceeding ten miles in length, or (3) any lines

Extension of lines.

Certificate authoriz-

Application for certificate. Notice and copy to Governor of affected State.

Issue of certificate.

Terms and conditions imposed.

Compliance with, re-

Injunction to restrain unauthorized construc-

Carrier to provide adequate facilities upon order.

Penalty prov refusal to comply provision,

Transactions relating to services, equipment, etc. Examination of, by

Report to Congress.

Temporary or emer-acquired under section 221 of this Act: Provided further, That the Commission may, upon appropriate request being made, authorize temporary or emergency service, or the supplementing of existing facilities, without regard to the provisions of this section.

(b) Upon receipt of an application for any such certificate the Commission shall cause notice thereof to be given to and a copy filed with the Governor of each State in which such additional or extended line is proposed to be constructed or operated, with the right to be heard as provided with respect to the hearing of complaints; and the Commission may require such published notice as it shall

(c) The Commission shall have power to issue such certificate as prayed for, or to refuse to issue it, or to issue it for a portion or portions of a line, or extension thereof, described in the application, or for the partial exercise only of such right or privilege, and may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require. After issuance of such certificate, and not before, the carrier may, without securing approval other than such certificate, comply with the terms and conditions contained in or attached to the issuance of such certificate and proceed with the construction, acquisition, operation, or extension covered thereby. Any construction, acquisition, operation, or extension contrary to the provisions of this section may be enjoined by any court of competent jurisdiction at the suit of the United States, the Commission, the State commission, any State affected, or any party in interest.

(d) The Commission may, after full opportunity for hearing, in a proceeding upon complaint or upon its own initiative without complaint, authorize or require by order any carrier, party to such proceeding, to provide itself with adequate facilities for performing its service as a common carrier and to extend its line; but no such authorization or order shall be made unless the Commission finds, as to such extension, that it is reasonably required in the interest of public convenience and necessity, or as to such extension or facilities that the expense involved therein will not impair the ability of the carrier to perform its duty to the public. Any carrier which refuses or neglects to comply with any order of the Commission made in pursuance of this paragraph shall forfeit to the United States \$100 for each day during which such refusal or neglect continues.

TRANSACTIONS RELATING TO SERVICES, EQUIPMENT, AND SO FORTH

Sec. 215. (a) The Commission shall examine into transactions entered into by any common carrier which relate to the furnishing of equipment, supplies, research, services, finances, credit, or personnel to such carrier and/or which may affect the charges made or to be made and/or the services rendered or to be rendered by such carrier, in wire or radio communication subject to this Act, and shall report to the Congress whether any such transactions have affected or are likely to affect adversely the ability of the carrier to render adequate service to the public, or may result in any undue or unrea-Inspection of carrier's accounts, records, etc.

Inspection of carrier's accounts, records, etc. such transactions the Commission shall have access to and the right randa, including all documents, papers, and correspondence now or hereafter existing, of persons furnishing such equipment, supplies, research, services, finances, credit, or personnel. The Commission shell include in its report its recommendations for recommendations for recommendations. of inspection and examination of all accounts, records, and memotion in connection with such transactions, and shall report specifically

whether in its opinion legislation should be enacted (1) authorizing the Commission to declare any such transactions void or to permit such transactions to be carried out subject to such modification of their terms and conditions as the Commission shall deem desirable in the public interest; and/or (2) subjecting such transactions to the approval of the Commission where the person furnishing or seeking to furnish the equipment, supplies, research, services, finances, credit, or personnel is a person directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carrier; and/or (3) authorizing the Commission to require that all or any transactions of carriers involving the furnishing of equipment, supplies, research, services, finances, credit, or personnel to such carrier be upon competitive bids on such terms and conditions and subject to such regulations as it shall prescribe as necessary in the public interest.

(b) The Commission shall investigate the methods by which and the extent to which wire telephone companies are furnishing wire telephone and telephone and telephone t telegraph service and wire telegraph companies are furnishing wire telephone service, and shall report its findings to Congress, together with its recommendations as to whether additional legislation on this

subject is desirable.

(c) The Commission shall examine all contracts of common carReport of restrictive contracts of carriers. riers subject to this Act which prevent the other party thereto from dealing with another common carrier subject to this Act, and shall report its findings to Congress, together with its recommendations as to whether additional legislation on this subject is desirable.

graph companies.

Application of act to receivers and trustees.

APPLICATION OF ACT TO RECEIVERS AND TRUSTEES

Sec. 216. The provisions of this Act shall apply to all receivers and operating trustees of carriers subject to this Act to the same extent that it applies to carriers.

LIABILITY OF CARRIER FOR ACTS AND OMISSIONS OF AGENTS

Liability of carrier for acts and omissions of agents.

Sec. 217. In construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any common carrier or user, acting within the scope of his employment, shall in every case be also deemed to be the act, omission, or failure of such carrier or user as well as that of the person.

INQUIRIES INTO MANAGEMENT

Inquiries into management.

SEC. 218. The Commission may inquire into the management of the business of all carriers subject to this Act, and shall keep itself informed as to the manner and method in which the same is conducted and as to technical developments and improvements in wire and radio communication and radio transmission of energy to the end that the benefits of new inventions and developments may be made available to the people of the United States. The Commission may obtain from such carriers and from persons directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created.

Authority of Com-mission to make.

Information from carriers.

ANNUAL AND OTHER REPORTS

Reports.

SEC. 219. (a) The Commission is authorized to require annual Requirement from reports under oath from all carriers subject to this Act, and from persons directly or indirectly controlling or controlled by, or under

Debts. ertv.

officers, etc. Improvement penditures.

Earnings and receipts.

Profit and loss balance. Exhibit of financial

Period of time reports to comprise. Filing.

Penalty for failure.

Accounts, records, and memoranda.

Form.

Depreciation charges.
Classification of roperty for which property for may be included.

Modifications.

Manner to be made. direct or indirect common control with, any such carrier, to prescribe the manner in which such reports shall be made, and to require from such persons specific answers to all questions upon which the Com-Information to con mission may need information. Such annual reports shall show in Capital stock issued detail the amount of capital stock issued, the amount and privileges of each class of stock, the amounts paid therefor, and the manner Dividend payments; of payment for the same; the dividends paid and the surplus fund, Number of stockholders (and the names of the thirty bolders) largest holders of each class of stock and the amount held by each); Debts.
Valuation of property.

The funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipments; the Employees and sal-number of employees and the salaries paid each class; the names of the carrier's property. all officers and directors, and the amount of salary, bonus, and all ex other compensation paid to each; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance sheet. Such reports shall also contain such information in relation Charges or regulations concerning charges, or agreements, arrangements, or contracts affecting the same, as the Commission may require.

(b) Such reports shall be for such twelve months' period as the Commission shall designate and shall be filed with the Commission at its office in Washington within three months after the close of the year for which the report is made, unless additional time is granted in any case by the Commission; and if any person subject to the provisions of this section shall fail to make and file said annual reports within the time above specified, or within the time extended by the Commission, for making and filing the same, or shall fail to make specific answer to any question authorized by the provisions of this section within thirty days from the time it is lawfully required so to do, such person shall forfeit to the United States the sum of \$100 for each and every day it shall continue to be in default with respect thereto. The Commission may by general Monthly reports of earnings and expenses.

or special orders require any such carriers to file monthly reports of earnings and expenses and to file periodical and/or special reports concerning any matters with respect to which the Commission is authorized or required by law to act; and such periodical or special reports shall be under oath whenever the Commission so requires. If any such carrier shall fail to make and file any such periodical or special report within the time fixed by the Commission, it shall be subject to the forfeitures above provided.

ACCOUNTS, RECORDS, AND MEMORANDA; DEPRECIATION CHARGES

Sec. 220. (a) The Commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by carriers subject to this Act, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of moneys.

(b) The Commission shall, as soon as practicable, prescribe for which such carriers the classes of property for which depreciation charges may be properly included under operating expenses, and the percentages of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and percentages so prescribed. Such carriers shall not, after the Commission has prescribed the clasess ¹ of Unauthorized of property for which depreciation charges may be included, charge to penses forbidden. operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or, after the Commission has prescribed percentages of depreciation, charge with Duplicating of respect to any class of property a percentage of depreciation other forbidden. Than that prescribed therefor by the Commission. No such carrier shall in any case include in any form under its operating or other expenses any depreciation or other charge or expenditure included elsewhere as a depreciation charge or otherwise under its operating

or other expenses.

other expenses.

(c) The Commission shall at all times have access to and the right etc., of carriers.

(c) The Commission shall at all times have access to and the right etc., of carriers.

Inspection of, by of inspection and examination of all accounts, records, and memoranda, including all documents, papers, and correspondence now or hereafter existing, and kept or required to be kept by such carriers, and the provisions of this section respecting the preservation and destruction of books, papers, and documents shall apply thereto. Burden of proof in The burden of proof to justify every accounting entry questioned accounting entry. by the Commission shall be on the person making, authorizing, or requiring such entry and the Commission may suspend a charge or credit pending submission of proof by such person. Any provision of law prohibiting the disclosure of the contents of messages or communications shall not be deemed to prohibit the disclosure of any matter in accordance with the provisions of this section.

(d) In case of failure or refusal on the part of any such carrier to keep such accounts, records, and memoranda on the books and in the manner prescribed by the Commission, or to submit such accounts, records, memoranda, documents, papers, and correspondence as are kept to the inspection of the Commission or any of its authorized agents, such carrier shall forfeit to the United States the sum of

\$500 for each day of the continuance of each such offense.

(e) Any person who shall willfully make any false entry in the accounts of any book of accounts or in any record or memoranda ords. kept by any such carrier, or who shall willfully destroy, mutilate, alter, or by any other means or device falsify any such account, record, or memoranda, or who shall willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of the carrier, shall be deemed guilty of a misdemeanor, and shall be subject, upon conviction, to a fine of not less than \$1,000 nor more than \$5,000 or imprisonment for a term of not less than one year nor more than three years, or both such fine and imprisonment: Provided, That the Commission may in its discretion issue orders tion of records. specifying such operating, accounting, or financial papers, records, books, blanks, or documents which may, after a reasonable time, be destroyed, and prescribing the length of time such books, papers, or documents shall be preserved.

(f) No member, officer, or employee of the Commission shall Unauthorized disclosure of information for bidden.

Unauthorized disclosure of information for bidden.

divulge any fact or information which may come to his knowledge during the course of examination of books or other accounts, as hereinbefore provided, except insofar as he may be directed by the

Commission or by a court.

ommission or by a court.

(g) After the Commission has prescribed the forms and manner etc., forbidden.

(g) After the Commission has prescribed the forms and manner etc., forbidden. of keeping of accounts. records, and memoranda to be kept by any person as herein provided, it shall be unlawful for such person to keep any other accounts, records, or memoranda than those so prescribed or such as may be approved by the Commission or to keep

Duplicating depre-

Disclosure of contents of messages.

Penalty for failure to keep accounts, etc.

For false entry. For destroying rec-

Unauthorized charg-

¹ So in original.

the accounts in any other manner than that prescribed or approved by the Commission. Notice of alterations by the Commission in the required manner or form of keeping accounts shall be given to such persons by the Commission at least six months before the same are to take effect.

Classification of car-

(h) The Commission may classify carriers subject to this Act riers. Requirements to be and prescribe different requirements under this section for different classes of carriers, and may, if it deems such action consistent with the public interest, except the carriers of any particular class or classes in any State from any of the requirements under this section in cases where such carriers are subject to State commission regulation with respect to matters to which this section relates.

Prior notification to State commissions.

(i) The Commission, before prescribing any requirements as to accounts, records, or memoranda, shall notify each State commission having jurisdiction with respect to any carrier involved, and shall give reasonable opportunity to each such commission to present its views, and shall receive and consider such views and recommendations.

Report to Congress.

(j) The Commission shall investigate and report to Congress as to the need for legislation to define further or harmonize the powers of the Commission and of State commissions with respect to matters to which this section relates.

Telephone nies. compa-

SPECIAL PROVISIONS RELATING TO TELEPHONE COMPANIES

Application for authority to consolidate.

Hearing. Notice.

Certification of Commission's findings

Effect.

Telephone exchange service subject to State regulation.

Jurisdiction of Com-mission.

Classification of car-

Sec. 221. (a) Upon application of one or more telephone companies for authority to consolidate their properties or a part thereof into a single company, or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, when such consolidated company would be subject to this Act, the Commission shall fix a time and place for a public hearing upon such application and shall thereupon give reasonable notice in writing to the Governor of each of the States in which the physical property affected, or any part thereof, is situated, and to the State commission having jurisdiction over telephone companies, and to such other persons as it may deem advisable. After such public hearing, if the Commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it shall certify to that effect; and thereupon any Act or Acts of Congress making Powers of States not the proposed transaction unlawful shall not apply. Nothing in this subsection shall be construed as in anywise limiting or restricting the powers of the several States to control and regulate telephone companies.

(b) Nothing in this Act shall be construed to apply, or to give the Commission jurisdiction, with respect to charges, classifications, practices, services, facilities, or regulations for or in connection with wire telephone exchange service, even though a portion of such exchange service constitutes interstate or foreign communication, in any case where such matters are subject to regulation by a State commission or by local governmental authority.

(c) For the purpose of administering this Act as to carriers engaged in wire telephone communication, the Commission may classify the property of any such carrier used for wire telephone communication, and determine what property of said carrier shall be considered as used in interstate or foreign telephone toll service.

Such classification shall be made after hearing, upon notice to the carrier, the State commission (or the Governor, if the State has no State commission) of any State in which the property of said carrier is located, and such other persons as the Commission may

(d) In making a valuation of the property of any wire telephone Valuation of property the Commission, after making the classification authorized state, etc., service. in this section, may in its discretion value only that part of the property of such carrier determined to be used in interstate or foreign telephone toll service.

Hearing and notice.

Special provisions re-lating to radio.

License for radio communication or transmission of energy. Purpose of title.

TITLE III—SPECIAL PROVISIONS RELATING TO RADIO

LICENSE FOR RADIO COMMUNICATION OR TRANSMISSION OF ENERGY

Section 301. It is the purpose of this Act, among other things, to maintain the control of the United States over all the channels of interstate and foreign radio transmission; and to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right, beyond the terms, conditions, and periods of the license. No person shall use or ratus for radio communications or signals by radio (a) from one place in any Territory or license, forbidden.

Operation of apparatus for the transmission of energy or communication or transmission of energy without license, forbidden. another place in the same Territory, possession, or District; or (b) from any State, Territory, or possession of the United States, or from the District of Columbia to any other State, Territory, or possession of the United States; or (c) from any place in any State, Territory, or possession of the United States, or in the District of Columbia, to any place in any foreign country or to any vessel; or (d) within any State when the effects of such use extend beyond the borders of said State, or when interference is caused by such use or operation with the transmission of such energy, communications, or signals from within said State to any place beyond its borders, or from any place beyond its borders to any place within said State, or with the transmission or reception of such energy, communications, or signals from and/or to places beyond the borders of said State; or (e) upon any vessel or aircraft of the United States; or (f) upon any other mobile stations within the jurisdiction of the United States, except under and in accordance with this Act and with a license in that behalf granted under the provisions of this Act.

Zones.

SEC. 302. (a) For the purposes of this title the United States is States into. Of United divided into five zones, as follows: The first zone shall embrace the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, and the District of Columbia; the second zone shall embrace the States of Pennsylvania, Virginia, West Virginia, Ohio, Michigan, and Kentucky; the third zone shall embrace the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Arkansas, Louisiana, Texas, and Oklahoma; the fourth zone shall embrace the States of Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Kansas, and Missouri; and the fifth zone shall embrace the States of Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California.

ZONES

Territories and in-sular possessions.

(b) The Virgin Islands, Puerto Rico, Alaska, Guam, American Samoa, and the Territory of Hawaii are expressly excluded from the zones herein established.

General powers of Commission.

GENERAL POWERS OF COMMISSION

Sec. 303. Except as otherwise provided in this Act, the Commission from time to time, as public convenience, interest, or necessity requires, shall-

Classify radio sta-

ons. Prescribe nature of

Assign frequency hands.

Determine locations.

Regulate transmitting apparatus.

Prevent interferences

Study new radio uses.

Establish zones.

Regulate chain broadcasting.

Regulate keeping of station records.

Make exclusions from requirements.

Prescribe station operator qualifications.

Suspend license of operator

(a) Classify radio stations; (b) Prescribe the nature of the service to be rendered by each class of licensed stations and each station within any class;

(c) Assign bands of frequencies to the various classes of stations, and assign frequencies for each individual station and determine the power which each station shall use and the time during which it may operate;

(d) Determine the location of classes of stations or individual

stations:

(e) Regulate the kind of apparatus to be used with respect to its external effects and the purity and sharpness of the emissions from each station and from the apparatus therein;

(f) Make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations and to carry Proviso.
Consent of station out the provisions of this Act: Provided, however, That changes in licenses to changes of the frequencies, authorized power, or in the times of operation of frequencies.

any station shall not be made without the consent of the station out the provisions of this Act: Provided, however, That changes in any station, shall not be made without the consent of the station licensee unless, after a public hearing, the Commission shall determine that such changes will promote public convenience or interest or will serve public necessity, or the provisions of this Act will be more fully complied with;

(g) Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective

use of radio in the public interest:

(h) Have authority to establish areas or zones to be served by any station;

(i) Have authority to make special regulations applicable to radio stations engaged in chain broadcasting;

(j) Have authority to make general rules and regulations requiring stations to keep such records of programs, transmissions of energy, communications, or signals as it may deem desirable;
(k) Have authority to exclude from the requirements of any

regulations in whole or in part any radio station upon railroad rolling stock, or to modify such regulations in its discretion;

(1) Have authority to prescribe the qualifications of station operators, to classify them according to the duties to be performed, to fix the forms of such licenses, and to issue them to such citizens of

the United States as the Commission finds qualified;

(m) Have authority to suspend the license of any operator for a period not exceeding two years upon proof sufficient to satisfy the Commission that the licensee (1) has violated any provision of any Act or treaty binding on the United States which the Commission is authorized by this Act to administer or any regulation made by the Commission under any such Act or treaty; or (2) has failed to carry out the lawful orders of the master of the vessel on which he is employed; or (3) has willfully damaged or permitted radio apparatus to be damaged; or (4) has transmitted superfluous radio communications or signals or radio communications containing profane or obscene words or language; or (5) has willfully or maliciously interfered with any other radio communications or signals;

(n) Have authority to inspect all transmitting apparatus to ascer- inspect transmitting apparatus. tain whether in construction and operation it conforms to the requirements of this Act, the rules and regulations of the Commission, and the license under which it is constructed or operated;

(o) Have authority to designate call letters of all stations;

(p) Have authority to cause to be published such call letters and call letters. such other announcements and data as in the judgment of the Commission may be required for the efficient operation of radio stations subject to the jurisdiction of the United States and for the proper enforcement of this Act;

(q) Have authority to require the painting and/or illumination Require lighting of radio towers. of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a

menace to air navigation.

Designate call letters.

Waiver by licensee. WAIVER BY LICENSEE

SEC. 304. No station license shall be granted by the Commission Claim to use of particular frequency. until the applicant therefor shall have signed a waiver of any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise.

GOVERNMENT-OWNED STATIONS

Government - owned stations.

Requirement to con-

SEC. 305. (a) Radio stations belonging to and operated by the ignated provisions.

Ante, p. 1082.

Assignment of fre-United States shall not be subject to the provisions of sections 301 and 303 of this Act. All such Government stations shall use such quencies to. frequencies as shall be assigned to each or to each class by the President. All such stations, except stations on board naval and form to regulations to prevent interference. other Government vessels while at sea or beyond the limits of the continental United States, when transmitting any radio communication or signal other than a communication or signal relating to Government business, shall conform to such rules and regulations

designed to prevent interference with other radio stations and the rights of others as the Commission may prescribe.

(b) Radio stations on board vessels of the United States Ship-tions aboard ping Board Bureau or the United States Shipping Board Merchant States vessels. Fleet Corporation or the Inland and Coastwise Waterways Service

shall be subject to the provisions of this title.

of sta-United

(c) All stations owned and operated by the United States, except stations. Callletters of Federal mobile stations of the Army of the United States, and all other stations on land and sea, shall have special call letters designated by the Commission.

FOREIGN SHIPS

Foreign ships.

SEC. 306. Section 301 of this Act shall not apply to any person ing signals on, within nding radio communications or signals on a foreign ship while U.S. jurisdiction. sending radio communications or signals on a foreign ship while the same is within the jurisdiction of the United States, but such communications or signals shall be transmitted only in accordance with such regulations designed to prevent interference as may be promulgated under the authority of this Act.

ALLOCATION OF FACILITIES; TERM OF LICENSES

Allocation of facilities.

Sec. 307. (a) The Commission, if public convenience, interest, or ing authorized. Sec. 307. necessity will be served thereby, subject to the limitations of this Act, shall grant to any applicant therefor a station license provided for by this Act.

Allocation of broadcasting licenses.

Of frequencies, time of operation, and station power.

Modifications to ef-

Modifications to effect equality within zones, authorized.

Provisos.
When lack of applications for available facilities within zone.

Issue of temporary licenses to applicants from other zones.

Charging of allocations to States.

Proviso.
Applications for additional licenses.

Allocation of fixed percentages of radio facilities.

Commission to study proposal.

License, term of.

Renewals.

Granting of.

Licenses.

Applications for.

Provisos.
Emergency granting for Federal stations on vessels or aircraft.

(b) It is hereby declared that the people of all the zones established by this title are entitled to equality of radio broadcasting service, both of transmission and of reception, and in order to provide said equality the Commission shall as nearly as possible make and maintain an equal allocation of broadcasting licenses, of bands of frequency, of periods of time for operation, and of station power, to each of said zones when and insofar as there are applications therefor; and shall make a fair and equitable allocation of licenses, frequencies, time for operation, and station power to each of the States and the District of Columbia, within each zone, according to population. The Commission shall carry into effect the equality of broadcasting service hereinbefore directed, whenever necessary or proper, by granting or refusing licenses or renewals of licenses, by changing periods of time for operation, and by increasing or decreasing station power, when applications are made for licenses or renewals of licenses: *Provided*, That if and when there is a lack of applications from any zone for the proportionate share of licenses, frequencies, time of operation, or station power to which such zone is entitled, the Commission may issue licenses for the balance of the proportion not applied for from any zone, to applicants from other zones for a temporary period of ninety days each, and shall specifically designate that said apportionment is only for said temporary period. Allocations shall be charged to the State Allocations shall be charged to the State said temporary period. or District wherein the studio of the station is located and not where the transmitter is located: Provided further, That the Commission may also grant applications for additional licenses for stations not exceeding one hundred watts of power if the Commission finds that such stations will serve the public convenience, interest, or necessity, and that their operation will not interfere with the fair and efficient radio service of stations licensed under the provisions of this section.

(c) The Commission shall study the proposal that Congress by statute allocate fixed percentages of radio broadcasting facilities to particular types or kinds of non-profit radio programs or to persons identified with particular types or kinds of non-profit activities, and shall report to Congress, not later than February 1, 1935, its recommendations together with the reasons for the same.

(d) No license granted for the operation of a broadcasting station shall be for a longer term than three years and no license so granted for any other class of station shall be for a longer term than five years, and any license granted may be revoked as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed three years in the case of broadcasting licenses and not to exceed five years in the case of other licenses, but action of the Commission with reference to the granting of such application for the renewal of a license shall be limited to and governed by the same considerations and practice which affect the granting of original applications.

(e) No renewal of an existing station license shall be granted more than thirty days prior to the expiration of the original license.

APPLICATIONS FOR LICENSES; CONDITIONS IN LICENSE FOR FOREIGN COMMUNICATION

SEC. 308. (a) The Commission may grant licenses, renewal of licenses, and modification of licenses only upon written application therefor received by it: *Provided*, *however*, That in cases of emergency found by the Commission, licenses, renewals of licenses, and modifications of licenses, for stations on vessels or aircraft of the United States, may be issued under such conditions as the Com-

mission may impose, without such formal application. Such licenses, however, shall in no case be for a longer term than three months: Provided further, That the Commission may issue by cable, telegraph, or radio a permit for the operation of a station on a vessel of the United States at sea, effective in lieu of a license until said vessel shall return to a port of the continental United

(b) All such applications shall set forth such facts as the Com- attornation in applications. mission by regulation may prescribe as to the citizenship, character, and financial, technical, and other qualifications of the applicant to operate the station; the ownership and location of the proposed station and of the stations, if any, with which it is proposed to communicate; the frequencies and the power desired to be used; the hours of the day or other periods of time during which it is proposed to operate the station; the purposes for which the station is to be used; and such other information as it may require. The Commission, at any time after the filing of such original application and during the term of any such license, may require from an applicant or licensee further written statements of fact to enable it to determine whether such original application should be granted or denied or such license revoked. Such application and/or such statement of fact shall be signed by the applicant and/or licensee under oath or affirmation.

(c) The Commission in granting any license for a station intended communication. or used for commercial communication between the United States or any Territory or possession, continental or insular, subject to the jurisdiction of the United States, and any foreign country, may impose any terms, conditions, or restrictions authorized to be imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses with respect to submarine-cable licenses by section 2 of an imposed with respect to submarine-cable licenses with r Act entitled "An Act relating to the landing and the operation of submarine cables in the United States", approved May 24, 1921.

Term of.

Issue of.

conditions.

Vol. 42, p. 8.

HEARINGS ON APPLICATIONS FOR LICENSES; FORM OF LICENSES; CON-DITIONS ATTACHED TO LICENSES

SEC. 309. (a) If upon examination of any application for a station plication of application. license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any Commission adverse. such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it

may prescribe.

(b) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject:

(1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein.

(2) Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act.

(3) Every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 hereof.

Form of license.

Conditions.

LIMITATION ON HOLDING AND TRANSFER OF LICENSES

Limitation on hold-ng and transfer of ing and licenses.

Aliens.

Foreign governments.
Foreign corporations.

Cornoration having alien officer.

Corporation con-trolled by other corpo-ration having alien

Limitations not applicable, Federal vessels, aircraft, etc.

Rights, etc., of li-censee not transferable.

Grounds for. Post, p. 1087.

Refusal of licenses and permits.

Granting of license not to estop aggrieved person.

Sec. 310. (a) The station license required hereby shall not be granted to or held by-

(1) Any alien or the representative of any alien;

(2) Any foreign government or the representative thereof;

(3) Any corporation organized under the laws of any foreign government;

(4) Any corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country;

(5) Any corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, or of which more than one-fourth of the capital stock is owned of record or voted, after June 1, 1935, by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country, if the Commission finds that the public interest will be served by the refusal or the revocation of such license.

Nothing in this subsection shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by Act of Congress or any treaty to which the United States is a party.

(b) The station license required hereby, the frequencies authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any corporation holding such license, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing.

REFUSAL OF LICENSES AND PERMITS IN CERTAIN CASES

Sec. 311. The Commission is hereby directed to refuse a station license and/or the permit hereinafter required for the construction of a station to any person (or to any person directly or indirectly controlled by such person) whose license has been revoked by a court under section 313, and is hereby authorized to refuse such station license and/or permit to any other person (or to any person directly or indirectly controlled by such person) which has been finally adjudged guilty by a Federal court of unlawfully monopolizing or attempting unlawfully to monopolize, radio communication, directly or indirectly, through the control of the manufacture or sale of radio apparatus, through exclusive traffic arrangements, or by any other means, or to have been using unfair methods of competition. The granting of a license shall not estop the United States or any person aggrieved from proceeding against such person for violating the law against unfair methods of competition or for a violation of the law against unlawful restraints and monopolies and/or combinations, contracts, or agreements in restraint of trade, or from instituting proceedings for the dissolution of such corporation.

REVOCATION OF LICENSES

Sec. 312. (a) Any station license may be revoked for false statements either in the application or in the statement of fact which may be required by section 308 hereof, or because of conditions

Revocation of license Grounds for

Ante, p. 1084.

revealed by such statements of fact as may be required from time to time which would warrant the Commission in refusing to grant a license on an original application, or for failure to operate substantially as set forth in the license, or for violation of or failure to observe any of the restrictions and conditions of this Act or of any regulation of the Commission authorized by this Act or by a treaty ratified by the United States: Provided, however, That no such order of revocation shall take effect until fifteen days' notice in writing thereof, stating the cause for the proposed revocation, has been given to the licensee. Such licensee may make written appli- Application for hearcation to the Commission at any time within said fifteen days for a hearing upon such order, and upon the filing of such written application said order of revocation shall stand suspended until the consion of order. clusion of the hearing conducted under such rules as the Commission may prescribe. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of revocation.

(b) Any station license hereafter granted under the provisions of this Act or the construction permit required hereby and hereafter issued, may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this Act or of any treaty ratified by the United States will be more fully complied with: Provided, however, That no such order of modification shall become final until quired.

Provise. Notice to holder returned to the holder of such outstanding license or possess. notified in writing of the proposed action and the grounds or reasons therefor and shall have been given reasonable opportunity to show cause why such an order of modification should not issue.

APPLICATION OF ANTITRUST LAWS

Sec. 313. All laws of the United States relating to unlawful restraints and monopolies and to combinations, contracts, or agreements in restraint of trade are hereby declared to be applicable to the manufacture and sale of and to trade in radio apparatus and devices entering into or affecting interstate or foreign commerce and to interstate or foreign radio communications. Whenever in any suit, action, or proceeding, civil or criminal, brought under the provisions of any of said laws or in any proceedings brought to enforce or to review findings and orders of the Federal Trade Commission or other governmental agency in respect of any matters as to which said Commission or other governmental agency is by law authorized to act, any licensee shall be found guilty of the violation of the provisions of such laws or any of them, the court, in addition to the penalties imposed by said laws, may adjudge, order, and/or decree that the license of such licensee shall, as of the date the decree or judgment becomes finally effective or as of such other date as the said decree shall fix, be revoked and that all rights under such license shall thereupon cease: *Provided*, *however*, That such licensee shall have the same right of appeal or review as is provided by law in respect of other decrees and judgments of said court.

PRESERVATION OF COMPETITION IN COMMERCE

SEC. 314. After the effective date of this Act no person engaged directly, or indirectly through any person directly or indirectly facilities. controlling or controlled by, or under direct or indirect common control with, such person, or through an agent, or otherwise, in the business of transmitting and/or receiving for hire energy, communications, or signals by radio in accordance with the day. cations, or signals by radio in accordance with the terms of the license issued under this Act, shall by purchase, lease, construction,

Proviso. Revocation order. when effective.

Final decision.

Modification of li-cense or permit.

Antitrust laws.

Application of.

Penalties for viola-

License revocation.

Proviso.
Appeals.

Preservation of com-petition in commerce.

On ownership stock,

By person engaged in transmitting for hire interstate or foreign messages.

or otherwise, directly or indirectly, acquire, own, control, or operate any cable or wire telegraph or telephone line or system between any place in any State, Territory, or possession of the United States or of in the District of Columbia, and any place in any foreign country, or shall acquire, own, or control any part of the stock or other capital share or any interest in the physical property and/or other assets of any such cable, wire, telegraph, or telephone line or system, if in either case the purpose is and/or the effect thereof may be to substantially lessen competition or to restrain commerce between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or unlawfully to create monopoly in any line of commerce; nor shall any person engaged directly, or indirectly through any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, such person, or through an agent, or otherwise, in the business of transmitting and/or receiving for hire messages by any cable, wire, telegraph, or telephone line or system (a) between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any other State, Territory, or possession of the United States; or (b) between any place in any State, Territory, or possession of the United States, or the District of Columbia, and any place in any foreign country, by purchase, lease, construction, or otherwise, directly or indirectly acquire, own, control, or operate any station or the apparatus therein, or any system for transmitting and/or receiving radio communications or signals between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or shall acquire, own, or control any part of the stock or other capital share or any interest in the physical property and/or other assets of any such radio station, apparatus, or system, if in either case the purpose is and/or the effect thereof may be to substantially lessen competition or to restrain commerce between any place in any State, Territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or unlawfully to create monopoly in any line of commerce.

Facilities for candidates for public office.

Equal opportunity required.

Rules.

Proviso.
Limitation on licensee power of censor-ship.

FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

Sec. 315. If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, and the Commission shall make rules and regulations to carry this provision into effect: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate.

Lotteries and similar schemes.

LOTTERIES AND OTHER SIMILAR SCHEMES

Broadcasting prohibited.

Sec. 316. No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person operating any such station shall knowingly permit the broadcasting of, any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes. Any person violating any provision of this section shall,

Penalty provision.

upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both, for each and every day during which such offense occurs.

ANNOUNCEMENT THAT MATTER IS PAID FOR

Announcement that broadcast is paid for.

Sec. 317. All matter broadcast by any radio station for which service, money, or any other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person.

OPERATION OF TRANSMITTING APPARATUS

Operation of trans-mitting apparatus.

SEC. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder. No person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission.

Requirement of qualified operator.

CONSTRUCTION PERMITS

Construction mits. per-

SEC. 319. (a) No license shall be issued under the authority of this Act for the operation of any station the construction of which is begun or is continued after this Act takes effect, unless a permit for its construction has been granted by the Commission upon written application therefor. The Commission may grant such permit if Granting by Compublic convenience, interest, or necessity will be served by the construction of the station. This application shall set forth such facts Application for as the Commission by regulation may prescribe as to the citizenship, character, and the financial, technical, and other ability of the applicant to construct and operate the station, the ownership and location of the proposed station and of the station or stations with which it is proposed to communicate, the frequencies desired to be used, the hours of the day or other periods of time during which it is proposed to operate the station, the purpose for which the station is to be used, the type of transmitting apparatus to be used, the power to be used, the date upon which the station is expected to be completed and in operation, and such other information as the Commission may require. Such application shall be signed by the applicant under oath or affirmation.

Requirement.

Contents.

Signature.

(b) Such permit for construction shall show specifically the Dates of station operatiest and latest dates between which the actual operation of such eration to be specified. station is expected to begin, and shall provide that said permit will be automatically forfeited if the station is not ready for operation if not met.

within the time specified or within such further time as the Commission may allow, unless prevented by causes not under the control of the grantee. The rights under any such permit shall not be assigned

or otherwise transferred to any person without the approval of the Commission. A permit for construction shall not be required for Government stations, amateur stations, or stations upon mobile vessels, railroad rolling stock, or aircraft. Upon the completion of any to issue when conditations for the construction or continued construction of which a tions met. permit has been granted, and upon it being made to appear to the Commission that all the terms, conditions, and obligations set forth

in the application and permit have been fully met, and that no cause or circumstance arising or first coming to the knowledge of the Commission since the granting of the permit would, in the judgment of

Exception.

Assignment of rights prohibited.

Limitation on requirement of permits.

Nature of license.

the Commission, make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit.

terfere with di signals. Designation of.

Stations liable to in- DESIGNATION OF STATIONS LIABLE TO INTERFERE WITH DISTRESS SIGNALS erfere with distress

Sec. 320. The Commission is authorized to designate from time to time radio stations the communications or signals of which, in its opinion, are liable to interfere with the transmission or reception of Requirement during distress signals of ships. Such stations are required to keep a operation. licensed radio operator listening in on the frequencies designated for signals of distress and radio communications relating thereto during the entire period the transmitter of such station is in operation.

Distress signals and communications.

Transmission of: re-

Absolute priority of.

DISTRESS SIGNALS AND COMMUNICATIONS

SEC. 321. (a) Every radio station on shipboard shall be equipped to transmit radio communications or signals of distress on the frequency specified by the Commission, with apparatus capable of transmitting and receiving messages over a distance of at least one hundred miles by day or night. When sending radio communications or signals of distress and radio communications relating thereto the transmitting set may be adjusted in such a manner as to produce a maximum of radiation irrespective of the amount of interference which may thus be caused.

(b) All radio stations, including Government stations and stations on board foreign vessels when within the territorial waters of the Interfering signals to United States, shall give absolute priority to radio communications or signals relating to ships in distress; shall cease all sending on frequencies which will interfere with hearing a radio communication or signal of distress, and, except when engaged in answering or aiding the ship in distress, shall refrain from sending any radio communications or signals until there is assurance that no interference will be caused with the radio communications or signals relating thereto, and shall assist the vessel in distress, so far as possible, by complying with its instructions.

Intercommunication in mobile service.

INTERCOMMUNICATION IN MOBILE SERVICE

Requirement.

Sec. 322. Every land station open to general public service between the coast and vessels at sea shall be bound to exchange radio communications or signals with any ship station without distinction as to radio systems or instruments adopted by such stations, respectively, and each station on shipboard shall be bound to exchange radio communications or signals with any other station on shipboard without distinction as to radio systems or instruments adopted by each station.

Interference between Government and comercial stations. Division of time.

INTERFERENCE BETWEEN GOVERNMENT AND COMMERCIAL STATIONS

SEC. 323. (a) At all places where Government and private or commercial radio stations on land operate in such close proximity that interference with the work of Government stations cannot be avoided when they are operating simultaneously, such private or commercial stations as do interfere with the transmission or reception of radio communications or signals by the Government stations concerned shall not use their transmitters during the first fifteen minutes of each hour, local standard time.

(b) The Government stations for which the above-mentioned Government station. division of time is established shall transmit radio communications or signals only during the first fifteen minutes of each hour, local standard time, except in case of signals or radio communications relating to vessels in distress and vessel requests for information as tress signals. to course, location, or compass direction.

Exception, when dis-

USE OF MINIMUM POWER

Use of minimum

Requirement.

Sec. 324. In all circumstances, except in case of radio communications or signals relating to vessels in distress, all radio stations. including those owned and operated by the United States, shall use the minimum amount of power necessary to carry out the communication desired.

FALSE DISTRESS SIGNALS; REBROADCASTING; STUDIOS OF FOREIGN STATIONS

False distress signals.

SEC. 325. (a) No person within the jurisdiction of the United States shall knowingly utter or transmit, or cause to be uttered or transmitted, any false or fraudulent signal of distress, or communication relating thereto, nor shall any broadcasting station rebroadcast the program or any part thereof of another broadcasting station

Prohibition on trans-mitting.

On unauthorized re-broadcasting.

without the express authority of the originating station.

Studios of foreign

(b) No person shall be permitted to locate, use, or maintain a radio broadcast studio or other place or apparatus from which or stations. whereby sound waves are converted into electrical energy, or mechanical or physical reproduction of sound waves produced, and caused to be transmitted or delivered to a radio station in a foreign country for the purpose of being broadcast from any radio station there having a power output of sufficient intensity and/or being so located geographically that its emissions may be received consistently in the United States, without first obtaining a permit from the Commission upon proper application therefor.

Permits required.

(c) Such application shall contain such information as the Commission may by regulation prescribe, and the granting or refusal thereof shall be subject to the requirements of section 309 hereof with respect to applications for station licenses or renewal or modification thereof, and the license or permission so granted shall be revocable for false statements in the application so required or when the Commission, after hearings, shall find its continuation no longer

Application therefor.

Ante, p. 1085.

in the public interest.

CENSORSHIP; INDECENT LANGUAGE

Sec. 326. Nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication. No person within the jurisdiction of the United States shall utter any obscene, indecent, or profane language by means of radio communication.

Indecent language.

USE OF NAVAL STATIONS FOR COMMERCIAL MESSAGES

Naval stations for commercial messages.

SEC. 327. The Secretary of the Navy is hereby authorized, unless authorized to use. restrained by international agreement, under the terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the

¹ So in original.

1092

Proviso.
Minimum rates.

control of the Navy Department, (a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages between ships, between ship and shore, between localities in Alaska and between Alaska and the continental United States: *Provided*, That the rates fixed for the reception and transmission of all such messages, other than press messages between the Pacific coast of the United States, Hawaii, Alaska, Guam, American Samoa, the Philippine Islands, and the Orient, and between the United States and the Virgin Islands, the Philippine Islands, and the Orient, and between the United States and the Virgin Islands, shall not be less than the rates charged by privately owned When right to use and operated stations for like messages and service: Provided further, That the right to use such stations for any of the purposes named in this section shall terminate and cease as between any countries or localities or between any locality and privately operated ships whenever privately owned and operated stations are capable of meeting the normal communication requirements between such countries or localities or between any locality and privately operated ships, and the Commission shall have notified the Secretary of the Navy thereof.

Special provision as to Philippine Islands and Canal Zone.

SPECIAL PROVISION AS TO PHILIPPINE ISLANDS AND CANAL ZONE

Sec. 328. This title shall not apply to the Philippine Islands or to the Canal Zone. In international radio matters the Philippine Islands and the Canal Zone shall be represented by the Secretary of State.

ADMINISTRATION OF RADIO LAWS IN TERRITORIES AND POSSESSIONS

Sec. 329. The Commission is authorized to designate any officer or employee of any other department of the Government on duty in

Radio laws in terri-tories and possessions.

Administration of. Designation of offi-

cor.

Protiso.
Approval required.

Procedural and administrative sions.

Jurisdiction to enforce act and Commis-

District courts.

sion orders.

Enforcement of Commission orders.

Process.

any Territory or possession of the United States other than the Philippine Islands and the Canal Zone, to render therein such services in connection with the administration of the radio laws of the United States as the Commission may prescribe: Provided, That

such designation shall be approved by the head of the department in which such person is employed.

TITLE IV—PROCEDURAL AND ADMINISTRATIVE PROVISIONS

JURISDICTION TO ENFORCE ACT AND ORDERS OF COMMISSION

Section 401. (a) The district courts of the United States shall have jurisdiction, upon application of the Attorney General of the United States at the request of the Commission, alleging a failure to comply with or a violation of any of the provisions of this Act by any person, to issue a writ or writs of mandamus commanding

such person to comply with the provisions of this Act.

(b) If any person fails or neglects to obey any order of the Commission other than for the payment of money, while the same is in effect, the Commission or any party injured thereby, or the United States, by its Attorney General, may apply to the appropriate district court of the United States for the enforcement of such order. If, after hearing, that court determines that the order was regularly made and duly served, and that the person is in disobedience of the same, the court shall enforce obedience to such order by a writ of injunction or other proper process, mandatory or other-

wise, to restrain such person or the officers, agents, or representatives of such person, from further disobedience of such order, or to enjoin

upon it or them obedience to the same.

(c) Upon the request of the Commission it shall be the duty of ceedings for punishing any district attorney of the United States to whom the Commission violations. may apply to institute in the proper court and to prosecute under the direction of the Attorney General of the United States all necessary proceedings for the enforcement of the provisions of this Act and for the punishment of all violations thereof, and the costs and expenses of such prosecutions shall be paid out of the appropriations for the expenses of the courts of the United States.

(d) The provisions of the Expediting Act, approved February Vol. 32, p. 923; Vol. 11, 1903, as amended, and of section 238 (1) of the Judicial Code, as amended, shall be held to apply to any suit in equity arising under Title II of this Act, wherein the United States is complainant.

Costs.

PROCEEDINGS TO ENFORCE OR SET ASIDE THE COMMISSION'S ORDERS-APPEAL IN CERTAIN CASES

Sec. 402. (a) The provisions of the Act of October 22, 1913 (38 Stat. 219), relating to the enforcing or setting aside of the orders of the Interstate Commerce Commission, are hereby made applicable to suits to enforce, enjoin, set aside, annul, or suspend any order of the Commission under this Act (except any order of the Commission granting or refusing an application for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license), and such suits are hereby authorized to be brought as provided in that Act.

(b) An appeal may be taken, in the manner hereinafter provided, from decisions of the Commission to the Court of Appeals of the

District of Columbia in any of the following cases:

(1) By any applicant for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license, whose application is refused by the Commission.

(2) By any other person aggrieved or whose interests are adversely affected by any decision of the Commission granting or refusing any

such application.

(c) Such appeal shall be taken by filing with said court within codure. Filing of appeal; protwenty days after the decision complained of is effective, notice in writing of said appeal and a statement of the reasons therefor, together with proof of service of a true copy of said notice and statement upon the Commission. Unless a later date is specified by the Commission as part of its decision, the decision complained of shall be considered to be effective as of the date on which public announcement of the decision is made at the office of the Commission in the city of Washington. The Commission shall thereupon immediately, and in any event not later than five days from the date of such service upon it, mail or otherwise deliver a copy of said notice of appeal to each person shown by the records of the Commission to be interested in such appeal and to have a right to intervene therein under the provisions of this section, and shall at all times thereafter permit any such person to inspect and make copies of the appellant's statement of reasons for said appeal at the office of the Commission in the city of Washington. Within thirty days after ing of evidence upon the filing of said appeal the Commission shall file with the court application by comthe originals or certified copies of all papers and evidence presented to it upon the application involved, and also a like copy of its decision thereon, and shall within thirty days thereafter file a full state-

Commission orders.

Enforcement of, provisions applicable. Vol. 38, p. 219.

Orders excepted.

Appeals from.

Who may take.

Effectiveness of de-cision complained of.

Notice mailing. of appeal;

Persons having right to intervene.

Notice of intention to

Nature of interest to be stated.

Who considered interested party.

Determination of ap-

Decision.

Proviso. Nature of review.

Judgment final.

Writ of review.

Judgment for costs.

ment in writing of the facts and grounds for its decision as found and given by it, and a list of all interested persons to whom it has mailed or otherwise delivered a copy of said notice of appeal.

(d) Within thirty days after the filing of said appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the Commission. Any person who would be aggrieved or whose interests would be adversely affected by a reversal or modification of the decision of the Commission complained of shall be considered an interested party.

(e) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision of the Commission, and in event the court shall render a decision and enter an order reversing the decision of the Commission, it shall remand the case to the Commission to carry out the judgment of the court: Provided, however, That the review by the court shall be limited to questions of law and that findings of fact by the Commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Commission are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 240 of the Judicial Code, as amended, by appellant, by the Commission, or by any interested party intervening in the appeal.

vening in the appeal.

(f) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and/or other interested parties intervening in said appeal, but not against the Commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof.

Inquiry by Commission.

INQUIRY BY COMMISSION ON ITS OWN MOTION

Authority to institute.

Sec. 403. The Commission shall have full authority and power at any time to institute an inquiry, on its own motion, in any case and as to any matter or thing concerning which complaint is authorized to be made, to or before the Commission by any provision of this Act, or concerning which any question may arise under any of the provisions of this Act, or relating to the enforcement of any of the provisions of this Act. The Commission shall have the same powers and authority to proceed with any inquiry instituted on its own motion as though it had been appealed to by complaint or petition under any of the provisions of this Act, including the power to make and enforce any order or orders in the case, or relating to the matter or thing concerning which the inquiry is had, excepting orders for the payment of money.

Power to proceed thereon.

Report of investiga-

REPORTS OF INVESTIGATIONS

Requirement.

SEC. 404. Whenever an investigation shall be made by the Commission it shall be its duty to make a report in writing in respect thereto, which shall state the conclusions of the Commission, together with its decision, order, or requirement in the premises; and in case damages are awarded such report shall include the findings of fact on which the award is made.

REHEARING BEFORE COMMISSION

Sec. 405. After a decision, order, or requirement has been made by the Commission in any proceeding, any party thereto may at any time make application for rehearing of the same, or any matter determined therein, and it shall be lawful for the Commission in its discretion to grant such a rehearing if sufficient reason therefor be made to appear: Provided, however, That in the case of a decision, order, or requirement made under Title III, the time within application filed. which application for rehearing may be made shall be limited to twenty days after the effective date thereof, and such application may be made by any party or any person aggrieved or whose interests are adversely affected thereby. Applications for rehearing shall hearing. be governed by such general rules as the Commission may establish. No such application shall excuse any person from complying with der during pendency or obeying any decision, order, or requirement of the Commission. or obeying any decision, order, or requirement of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. In case a hearing. rehearing is granted, the proceedings thereupon shall conform as nearly as may be to the proceedings in an original hearing, except as the Commission may otherwise direct; and if, in its judgment, Modification of original decision.

Modification of original decision.

Modification of original facts, including those arising since the former hearing, it shall appear that the original decision, order, or requirement is in any respect unjust or unwarranted, the Commission may reverse, change, or modify the same accordingly. Any decision, order, or requirement made after such rehearing, reversing, changing, or modifying the original determination, shall be subject to the same provisions as an original order.

MANDAMUS TO COMPEL FURNISHING OF FACILITIES

SEC. 406. The district courts of the United States shall have juris- Jurisdiction of district courts to issue. diction upon the relation of any person alleging any violation, by a carrier subject to this Act, of any of the provisions of this Act which prevent the relator from receiving service in interstate or foreign communication by wire or radio, or in interstate or foreign transmission of energy by radio, from said carrier at the same charges, or upon terms or conditions as favorable as those given by said carrier for like communication or transmission under similar conditions to any other person, to issue a writ or writs of mandamus against said carrier commanding such carrier to furnish facilities for such communication or transmission to the party applying for the writ: Provided, That if any question of fact as to the proper compensation to the carrier for the service to be enforced by the writ is raised by the pleadings, the writ of peremptory mandamus may issue, notwithstanding such question of fact is undetermined, upon such terms as to security payment of money into the carrier of the service of preemptory mandamus when question of proper compensation. as to security, payment of money into the court, or otherwise, as the court may think proper pending the determination of the question of fact: Provided further, That the remedy hereby given by writ of mandamus shall be cumulative and shall not be held to exclude or interfere with other remedies provided by this Act.

PETITION FOR ENFORCEMENT OF ORDER FOR PAYMENT OF MONEY

Sec. 407. If a carrier does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may file in the district court of the United States for the district in which he resides or in which is located the principal operating office of the carrier, or through which the line of the carrier runs, or in any State court

Rehearing Commission. before

Application for.

Authority to grant.

Rules governing re-

Mandamus to com-pel furnishing of facili-ties.

Proviso

Nature of remedy.

Petition for enforcement of order for payment of money.
Filing in district

Proceedings in suit.

of general jurisdiction having jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages, and the order of the Commission in the premises. Such suit in the district court of the United States shall proceed in all respects like other civil suits for damages, except that on the trial of such suits the findings and order of the Commission shall be prima facie evidence of the facts therein stated, except that the petitioner shall not be liable for costs in the district court nor for costs at any subsequent stage of the proceedings unless they accrue upon his appeal. the petitioner shall finally prevail, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit.

Attorney's fees.

Orders not for payment of money.

ORDERS NOT FOR PAYMENT OF MONEY—WHEN EFFECTIVE

When effective.

Sec. 408. Except as otherwise provided in this Act, all orders of the Commission, other than orders for the payment of money, shall take effect within such reasonable time, not less than thirty days after service of the order, and shall continue in force until its further order, or for a specified period of time, according as shall be prescribed in the order, unless the same shall be suspended or modified or set aside by the Commission, or be suspended or set aside by a court of competent jurisdiction.

General provisions relating to proceedings.

GENERAL PROVISIONS RELATING TO PROCEEDINGS—WITNESSES AND DEPOSITIONS

Designation of officer to hold hearings.

Limitations on pow-

Oral arguments be-

Witness fees.

Attendance at place

Sec. 409. (a) Any member or examiner of the Commission, or the director of any division, when duly designated by the Commission for such purpose, may hold hearings, sign and issue subpenas, administer oaths, examine witnesses, and receive evidence at any place in the United States designated by the Commission; except that in the administration of Title III an examiner may not be authorized to exercise such powers with respect to a matter involving (1) a change of policy by the Commission, (2) the revocation of a station license, (3) new devices or developments in radio, or (4) a new kind of use of frequencies. In all cases heard by an examiner tore Commission.

Compulsion of testi- the Commission shall hear oral arguments on request of either party.

(b) For the purposes of this Act the Commission shall have the power to require by subpena the attendance and testimony of witnesses and the production of all books, papers, schedules of charges, contracts, agreements, and documents relating to any matter under investigation. Witnesses summoned before the Commission shall be paid the same fees and mileage that are paid witnesses in the

courts of the United States.

(c) Such attendance of witnesses, and the production of such documentary evidence, may be required from any place in the United States, at any designated place of hearing. And in case of disobedience to a subpena the Commission, or any party to a proceeding before the Commission, may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this section.

Order of district court requiring carrier to ap-

(d) Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any common carrier or licensee or other person, issue an order requiring such common carrier, licensee, or other person to appear before the Commission (and produce books and papers if so ordered) and give evidence touching the matter in question; and any failure to obey such order

of the court may be punished by such court as a contempt thereof.

(e) The testimony of any witness may be taken, at the instance of a party, in any proceeding or investigation pending before the Commission, by deposition, at any time after a cause or proceeding is at issue on petition and answer. The Commission may also order testimony to be taken by deposition in any proceeding or investigation pending before it, at any stage of such proceeding or investigation. Such depositions may be taken before any judge of any court of the United States, or any United States commissioner, or any clerk of a district court, or any chancellor, justice, or judge of a supreme or superior court, mayor, or chief magistrate of a city, judge of a county court, or court of common pleas of any of the United States, or any notary public, not being of counsel or attorney to either of the parties, nor interested in the event of the proceeding or investigation. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, as either may be nearest, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce documentary evidence, in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Commission, as hereinbefore provided.

(f) Every person deposing as herein provided shall be cautioned and sworn (or affirm, if he so request) to testify the whole truth, and shall be carefully examined. His testimony shall be reduced to writing by the magistrate taking the deposition, or under his direction, and shall, after it has been reduced to writing, be subscribed

by the deponent.

(g) If a witness whose testimony may be desired to be taken by witness in foreign deposition be in a foreign country, the deposition may be taken before an officer or person designated by the Commission, or agreed upon by the parties by stipulation in writing to be filed with the Commission. All depositions must be promptly filed with the Commission.

(h) Witnesses whose depositions are taken as authorized in this Act, and the magistrate or other officer taking the same, shall severally be entitled to the same fees as are paid for like services in the

courts of the United States.

(i) No person shall be excused from attending and testifying or from producing books, papers, schedules of charges, contracts, agreements, and documents before the Commission, or in obedience to the subpena of the Commission, whether such subpena be signed or issued by one or more commissioners, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of this Act, or of any amendments thereto, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(j) Any person who shall neglect or refuse to attend and testify, or to answer any lawful inquiry, or to produce books, papers, schedules of charges, contracts, agreements, and documents, if in his power to do so, in obedience to the subpena or lawful requirement Depositions.

Notice of intention to take testimony.

Oath of witness.

Depositions with Commission

Witness fees

Production of books.

Penalty provision.

of the Commission, shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than \$100 nor more than \$5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Joint boards—State Commissions.

USE OF JOINT BOARDS-COOPERATION WITH STATE COMMISSIONS

a joint board shall have such force and effect and its proceedings

State shall be nominated by the State commission of the State or

have discretion to reject any nominee. Joint board members shall

receive such allowances for expenses as the Commission shall

mission is authorized under such rules and regulations as it shall

(b) The Commission may confer with any State commission having regulatory jurisdiction with respect to carriers, regarding the relationship between rate structures, accounts, charges, practices, classifications, and regulations of carriers subject to the jurisdiction of such State commission and of the Commission; and the Com-

Sec. 410. (a) The Commission may refer any matter arising in

Reference of administrative matters to joint boards authorized. to the administration of this Act to a joint board to be composed of a member, or of an equal number of members, as determined by the of Commission, from each of the States in which the wire or radio communication affected by or involved in the proceeding takes place

Composition

or is proposed, and any such board shall be vested with the same Powers, duties, lin- powers and be subject to the same duties and liabilities as in the case

of a member of the Commission when designated by the Commis-Force of board's ac sion to hold a hearing as hereinbefore authorized. The action of

shall be conducted in such manner as the Commission shall by regu-Nomination of State lations prescribe. The joint board member or members for each membership.

by the Governor if there is no State commission, and appointed by Rejection of nominee. the Federal Communications Commission. The Commission shall Allowances.

provide

State commission. Commission con ences with.

Joint hearings.

prescribe to hold joint hearings with any State commission in connection with any matter with respect to which the Commission is authorized to act. The Commission is authorized in the administration of this Act to avail itself of male authorized in the administra-

Joinder of parties.

Authority to join in-terested parties.

tion of this Act to avail itself of such cooperation, services, records, and facilities as may be afforded by any State commission.

JOINDER OF PARTIES

Sec. 411. (a) In any proceeding for the enforcement of the provisions of this Act, whether such proceeding be instituted before the Commission or be begun originally in any district court of the United States, it shall be lawful to include as parties, in addition to the carrier, all persons interested in or affected by the charge, regulation, or practice under consideration, and inquiries, investigations, orders, and decrees may be made with reference to and against such additional parties in the same manner, to the same extent, and subject to the same provisions as are or shall be authorized by law

with respect to carriers.

(b) In any suit for the enforcement of an order for the payment of money all parties in whose favor the Commission may have made an award for damages by a single order may be joined as plaintiffs, and all of the carriers parties to such order awarding such damages may be joined as defendants, and such suit may be maintained by such joint plaintiffs and against such joint defendants in any district where any one of such joint plaintiffs could maintain such suit against any one of such joint defendants; and service of process against any one of such defendants as may not be found in the district where the suit is brought may be made in any district where

Suits for enforcement of order for money pay-ment

Process.

such defendant carrier has its principal operating office. In case of such joint suit, the recovery, if any, may be by judgment in favor of any one of such plaintiffs, against the defendant found to be liable to such plaintiff.

DOCUMENTS FILED TO BE PUBLIC RECORDS—USE IN PROCEEDINGS

of all contracts, agreements, and arrangements between common carriers filed with the Commission as herein provided, and the statistics, tables, and figures contained in the annual or other reports of carriers and other persons made to the Commission as required

purpose of investigations by the Commission and in all judicial proceedings; and copies of and extracts from any of said schedules, classifications, contracts, agreements, arrangements, or reports, made public records as aforesaid, certified by the secretary, under the Commission's seal, shall be received in evidence with like effect as the originals: *Provided*, That the Commission may, if the public

cation when the publication of such contract, agreement, or arrangement would place American communication companies at a disadvantage in meeting the competition of foreign communication

DESIGNATION OF AGENT FOR SERVICE

within sixty days after the taking effect of this Act, to designate in writing an agent in the District of Columbia, upon whom service of all notices and process and all orders, decisions, and requirements

made upon such carrier by leaving a copy thereof with such designated agent at his office or usual place of residence in the District of Columbia, with like effect as if made personally upon such carrier, and in default of such designation of such agent, service of any notice or other process in any proceeding before said Commission, or of any order, decision, or requirement of the Commission, may be made by posting such notice, process. order, requirement, or

companies.

Documents filed with Commission.

SEC. 412. The copies of schedules of charges, classifications, and lic records.

under the provisions of this Act shall be preserved as public records in the custody of the secretary of the Commission, and shall be proceedings. Force as evidence in received as prima facie evidence of what they purport to be for the

the originals: Provided, That the Commission may, if the public interest will be served thereby, keep confidential any contract, agree- of contracts, etc., relatment, or arrangement relating to foreign wire or radio communications.

Services of notice.

SEC. 413. It shall be the duty of every carrier subject to this Act, nated by carrier.

Filing of designation. Effect of service upon

of the Commission may be made for and on behalf of said carrier in any proceeding or suit pending before the Commission, and to file such designation in the office of the secretary of the Commission, which designation may from time to time be changed by like writagent ing similarly filed; and thereupon service of all notices and process and orders, decisions, and requirements of the Commission may be

REMEDIES IN THIS ACT NOT EXCLUSIVE

decision in the office of the secretary of the Commission.

Remedies in act not exclusive.

SEC. 414. Nothing in this Act contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this Act are in addition to such remedies.

LIMITATIONS AS TO ACTIONS

Limitations as to actions.

Sec. 415. (a) All actions at law by carriers for recovery of their Actions by carriers lawful charges, or any part thereof, shall be begun within one year from the time the cause of action accrues, and not after.

Complaints against carriers for damages.

(b) All complaints against carriers for the recovery of damages not based on overcharges shall be filed with the Commission within one year from the time the cause of action accrues, and not after, subject to subsection (d) of this section.

Actions for recovery of overcharges.

subject to subsection (d) of this section.

(c) For recovery of overcharges action at law shall be begun or complaint filed with the Commission against carriers within one year from the time the cause of action accrues, and not after, subject to subsection (d) of this section, except that if claim for the overcharge has been presented in writing to the carrier within the one-year period of limitation said period shall be extended to include one year from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

Extension of limitation period. (d) If on or before expiration of the period of limitation in subsection (b) or (c) a carrier begins action under subsection (a) for recovery of lawful charges in respect of the same service, or, without beginning action, collects charges in respect of that service, said period of limitation shall be extended to include ninety days from the time such action is begun or such charges are collected by the carrier.

Action respecting transmission of message.

(e) The cause of action in respect of the transmission of a message shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the carrier, and not after.

Petition for enforcement of order for money payment.

(f) A petition for the enforcement of an order of the Commission for the payment of money shall be filed in the district court or the State court within one year from the date of the order, and not after.

(g) The term "overcharges" as used in this section shall be

"Overcharges" construed.

(g) The term "overcharges" as used in this section shall be deemed to mean charges for services in excess of those applicable thereto under the schedules of charges lawfully on file with the Commission.

Orders of Commission.

PROVISIONS RELATING TO ORDERS

Service upon designated agent.

Sec. 416. (a) Every order of the Commission shall be forthwith served upon the designated agent of the carrier in the city of Washington or in such other manner as may be provided by law.

Medification of, upon notice given.

(b) Except as otherwise provided in this Act, the Commission is hereby authorized to suspend or modify its orders upon such notice and in such manner as it shall deem proper.

Compliance with, required.

(c) It shall be the duty of every person, its agents and employees, and any receiver or trustee thereof, to observe and comply with such orders so long as the same shall remain in effect.

Penal provisions.

TITLE V—PENAL PROVISIONS—FORFEITURES

General penalty.

GENERAL PENALTY

Section 501. Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing, in this Act prohibited or declared to be unlawful, or who willfully and knowingly omits or fails to do any act, matter, or thing in this Act required to be done, or willfully and knowingly causes or suffers such omission or failure, shall, upon conviction thereof, be punished for such offense, for which no penalty (other than a forfeiture) is provided herein, by a fine of not more than \$10,000 or by imprisonment for a term of not more than two years, or both.

Violations of rules, egulations.

VIOLATIONS OF RULES, REGULATIONS, AND SO FORTH

SEC. 502. Any person who willfully and knowingly violates any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation,

restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is or may hereafter become a party, shall, in addition to any other penalties provided by law, be punished, upon conviction thereof, by a fine of not more than \$500 for each and every day during which such offense occurs.

FORFEITURE IN CASES OF REBATES AND OFFSETS

Rebates and offsets.

SEC. 503. Any person who shall deliver messages for interstate or Forfeiture for receivforeign transmission to any carrier, or for whom as sender or receiver, any such carrier shall transmit any interstate or foreign wire or radio communication, who shall knowingly by employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, receive or accept from such common carrier any sum of money or any other valuable consideration as a rebate or offset against the regular charges for transmission of such messages as fixed by the schedules of charges provided for in this Act, shall in addition to any other penalty provided by this Act forfeit to the United States a sum of money three times the amount of money so received or accepted and three times the value of any other consideration so received or accepted, to be ascertained by the trial court; and in the trial of said action all such rebates or other considerations so received or accepted for a period of six years prior to the commencement of the action, may be included therein, and the amount recovered shall be three times the total amount of money, or three times the total value of such consideration, so received or accepted, or both, as the case may be.

Additional to other penalties provided.

Amount of forfeiture.

PROVISIONS RELATING TO FORFEITURES

Forfeitures.

SEC. 504. The forfeitures provided for in this Act shall be payable to.

Provisions resums to.

Payment of.
Recoverable in civil into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States, brought in the district suit. where the person or carrier has its principal operating office, or in any district through which the line or system of the carrier runs. Such forfeitures shall be in addition to any other general or specific penalties herein provided. It shall be the duty of the various cover.

Proceeding to redistrict attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures under this Act. The costs and expenses of such prosecutions shall be paid from the appropriation for the expenses of the courts of the United States.

Costs and expenses.

Venue of offenses.

VENUE OF OFFENSES

SEC. 505. The trial of any offense under this Act shall be in the district in which it is committed; or if the offense is committed upon the high seas, or out of the jurisdiction of any particular State or district, the trial shall be in the district where the offender may be found or into which he shall be first brought. Whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, inquired of, tried, determined, and punished in either jurisdiction in the same manner as if the offense had been actually and wholly committed therein,

TITLE VI-MISCELLANEOUS PROVISIONS

Miscellaneous provisions.

TRANSFER TO COMMISSION OF DUTIES, POWERS, AND FUNCTIONS UNDER EXISTING LAW

Transfer of duties, powers, and functions under existing law.

Section 601. (a) All duties, powers, and functions of the Intermerce Commission. ate Commerce Commission under the Act of August 7, 1888 (25 Vol. 25, p. 382. state Commerce Commission under the Act of August 7, 1888 (25 Stat. 382), relating to operation of telegraph lines by railroad and

Not to interfere with enforcement of act.

telegraph companies granted Government aid in the construction of their lines, are hereby imposed upon and vested in the Commission: Provided, That such transfer of duties, powers, and functions shall not be construed to affect the duties, powers, functions, or jurisdiction of the Interstate Commerce Commission under, or to interfere with or prevent the enforcement of, the Interstate Commerce Act and all Acts amendatory thereof or supplemental thereto.

(b) All duties, powers, and functions of the Postmaster General with respect to telegraph companies and telegraph lines under any existing provision of law are hereby imposed upon and vested in the Commission.

Repeals and amend-

Functions of Post-master General respect-

ing telegraph compa-

Radio Act of 1927. Vol. 44, p. 1162.

Certain provisions of Interstate Commerce

Submarine cables. Vol. 42, p. 8.

Powers of Federal Communications Commission.

Anti-trust Act. Vol. 38, p. 730.

Authority to enforce compliance with designated sections.

Employees, records, property, and appropriations.

Transfer from Federal Radio Commission.

From Interstate Commerce Commis-

From General

REPEALS AND AMENDMENTS

SEC. 602. (a) The Radio Act of 1927, as amended, is hereby

(b) The provisions of the Interstate Commerce Act, as amended, insofar as they relate to communication by wire or wireless, or to telegraph, telephone, or cable companies operating by wire or wireless, except the last proviso of section 1 (5) and the provisions of section 1 (7), are hereby repealed.

(c) The last sentence of section 2 of the Act entitled "An Act relating to the landing and operation of submarine cables in the United States", approved May 27, 1921, is amended to read as follows: "Nothing herein contained shall be construed to limit the power and jurisdiction of the Federal Communications Commission with respect to the transmission of messages."

(d) The first paragraph of section 11 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, is amended to read as follows:

"Sec. 11. That authority to enforce compliance with sections 2, 3, 7, and 8 of this Act by the persons respectively subject thereto is hereby vested: In the Interstate Commerce Commission where applicable to common carriers subject to the Interstate Commerce Act, as amended; in the Federal Communications Commission where applicable to common carriers engaged in wire or radio communication or radio transmission of energy; in the Federal Reserve Board where applicable to banks, banking associations, and trust companies; and in the Federal Trade Commission where applicable to all other character of commerce, to be exercised as follows:"

TRANSFER OF EMPLOYEES, RECORDS, PROPERTY, AND APPROPRIATIONS

Sec. 603. (a) All officers and employees of the Federal Radio Commission (except the members thereof, whose offices are hereby abolished) whose services in the judgment of the Commission are necessary to the efficient operation of the Commission are hereby transferred to the Commission, without change in classification or compensation; except that the Commission may provide for the adjustment of such classification or compensation to conform to the duties to which such officers and employees may be assigned.

(b) There are hereby transferred to the jurisdiction and control of the Commission (1) all records and property (including office furniture and equipment, and including monitoring radio stations) under the jurisdiction of the Federal Radio Commission, and (2) all records under the jurisdiction of the Interstate Commerce Commission Postmaster and of the Postmaster General relating to the duties, powers, and functions imposed upon and vested in the Commission by this Act.

(c) All appropriations and unexpended balances of appropriations Unexpended appropriations. available for expenditure by the Federal Radio Commission shall be available for expenditure by the Commission for any and all objects of expenditure authorized by this Act in the discretion of the Commission, without regard to the requirement of apportionment under the Antideficiency Act of February 27, 1906.

EFFECT OF TRANSFERS, REPEALS, AND AMENDMENTS

Sec. 604. (a) All orders, determinations, rules, regulations, ders, etc., made under permits, contracts, licenses, and privileges which have been issued, authority of repealed, made, or granted by the Interstate Commerce Commission, the made, or granted by the Interstate Commerce Commission, the Federal Radio Commission, or the Postmaster General, under any provision of law repealed or amended by this Act or in the exercise of duties, powers, or functions transferred to the Commission by this Act, and which are in effect at the time this section takes effect, shall continue in effect until modified, terminated, superseded, or repealed

by the Commission or by operation of law.

(b) Any proceeding, hearing, or investigation commenced or pending proceeding, nding before the Federal Radio Commission, the Interstate Compending before the Federal Radio Commission, the Interstate Commerce Commission, or the Postmaster General, at the time of the organization of the Commission, shall be continued by the Commission in the same manner as though originally commenced before the Commission, if such proceeding, hearing, or investigation (1) involves the administration of duties, powers, and functions transferred to the Commission by this Act, or (2) involves the exercise of jurisdiction similar to that granted to the Commission under the provisions of this Act.

(c) All records transferred to the Commission under this Act ferred records. Availability of transshall be available for use by the Commission to the same extent as if such records were originally records of the Commission. if such records were originally records of the Commission. All final tions and determinations and determinations of depreciation charges by the Inter
Commerce Commission. state Commerce Commission with respect to common carriers sion. engaged in radio or wire communication, and all orders of the Interstate Commerce Commission with respect to such valuations and determinations, shall have the same force and effect as though

made by the Commission under this Act.

(d) The provisions of this Act shall not affect suits commenced (d) The provisions of this Act shall not affect suits commenced suits commenced prior to the date of the organization of the Commission; and all prior to organization of commission. such suits shall be continued, proceedings therein had, appeals therein taken and judgments therein rendered, in the same manner and with the same effect as if this Act had not been passed. No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States, in relation to the discharge of official duties, shall abate by reason of any transfer of authority, power, and duties from such agency or officer to the Commission under the provisions of this Act, but the court, upon motion or supplemental petition filed at any time within twelve months after such transfer, showing the necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the Commission.

UNAUTHORIZED PUBLICATION OF COMMUNICATIONS

Sec. 605. No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such

Transfers, repeals, and amendments.

Limitations.

Unauthorized publication of communications.

Prohibition on.

Intercepting commu-nication prohibited.

Unauthorized publication of intercepted communication.

cation.

Powers of President War emergency.

Priority of communications essentianational defense.

Orders of President.

Carrier complying with priority orders; exemption from liabilities.

Obstruction of com-munications; prohib-

Proviso.
Sections of Antitrust
Act not repealed.
Vol. 38, p. 730.

Suspension of Commission regulations during national emer-

communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, Unauthorized use of information contained in communication.

Unauthorized use of information contained in communication.

Unauthorized use of information contained in communication.

Substance, purport, effect, or meaning of such intercepted communication cation to any person; and no person not being entitled thereto shall receive or assist in receiving any interestate on family and the contained receive or assist in receiving any interestate on family and the contained receive or assist in receiving any interestate on family and the contained receive or assist in receiving any interestate on family and the contained receive or assist in receiving any interestate on family and the contained receive or assist in receiving any interestate on family and the contained received re by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided*, That this section shall not apply to the receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast, or transmitted by amateurs or others for the use of the general public or relating to ships in distress. for the use of the general public, or relating to ships in distress.

WAR EMERGENCY-POWERS OF PRESIDENT

SEC. 606. (a) During the continuance of a war in which the United States is engaged, the President is authorized, if he finds it necessary for the national defense and security, to direct that such communications as in his judgment may be essential to the national defense and security shall have preference or priority with any carrier subject to this Act. He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them and for any such purpose he is hereby authorized to issue orders directly, or through such person or persons as he designates for the purpose, or through the Commission. Any carrier complying with any such order or direction for preference or priority herein authorized shall be exempt from any and all provisions in existing law imposing civil or criminal penalties, obligations, or liabilities upon carriers by reason of giving preference or priority in compliance with such order or direction.

(b) It shall be unlawful for any person during any war in which the United States is engaged to knowingly or willfully, by physical force or intimidation by threats of physical force, obstruct or retard or aid in obstructing or retarding interstate or foreign communication by radio or wire. The President is hereby authorized, whenavent of the public interest representation of the public interest representation of the public interest representation. ever in his judgment the public interest requires, to employ the armed forces of the United States to prevent any such obstruction or retardation of communication: Provided, That nothing in this section shall be construed to repeal, modify, or affect either section 6 or section 20 of an Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914.

(c) Upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President may suspend or amend, for such time as he may see fit, the rules and regulations applicable to any or all stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for Closing of station radio communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon

just compensation to the owners.

(d) The President shall ascertain the just compensation for such Award of compensause or control and certify the amount ascertained to Congress for appropriation and payment to the person entitled thereto. If the satisfactory amount so certified is unsatisfactory to the person entitled thereto, such person shall be paid only 75 per centum of the amount and shall be entitled to sue the United States to recover such further sum as added to such payment of 75 per centum will make such amount as will be just compensation for the use and control. Such suit shall be brought in the manner provided by paragraph 20 of section 24, or by section 145, of the Judicial Code, as amended.

EFFECTIVE DATE OF ACT

SEC. 607. This Act shall take effect upon the organization of the Commission, except that this section and sections 1 and 4 shall take effect July 1, 1934. The Commission shall be deemed to be organized upon such date as four members of the Commission have taken

Effective date of act.

Ante, p. 1064.

SEPARABILITY CLAUSE

Separability clause.

Sec. 608. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

SHORT TITLE

Short title.

SEC. 609. This Act may be cited as the "Communications Act of 1934."

Approved, June 19, 1934.

[CHAPTER 653.]

AN ACT

Relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes.

Be it enacted by the Senate and House of Representatives of the Median Reserve Act, United States of America in Congress assembled, That the Federal Vol. 38, p. 263; Vol. Reserve Act, as amended, is amended by adding after section 13a 42, p. 1470. U.S.C., p. 282.

thereof a new section reading as follows:

"Sec. 13b. (a) In exceptional circumstances, when it appears to dustrial purposes by the satisfaction of a Federal Reserve bank that an established industrial or commercial business located in its district is unable to obtain sources, the Federal Reserve bank, pursuant to authority granted by assistance. To established industry needing financial the Federal Reserve Board, way make heart of authority granted by assistance. the Federal Reserve Board, may make loans to, or purchase obligations of, such business, or may make commitments with respect thereto, on a reasonable and sound basis, for the purpose of providing it with working capital, but no obligation shall be acquired or commitment made hereunder with a maturity exceeding five years.

"(b) Each Federal Reserve bank shall also have power to discount for, or purchase from, any bank, trust company, mortgage company, credit corporation for industry, or other financing institu-tion operating in its district, obligations having maturities not exceeding five years, entered into for the purpose of obtaining working

Purchase of obliga-tions thereof.

Discount or purchase of obligation.

Maturities.

specting purchase of obligations.

Losses sustained on obligations acquired by banks; percentage.

Provisos.
Advance by institution in lieu.

Repayments.

Aggregate amount of credit extended; limitation.

Industrial Advisory Committee Establishment.

Appointment.

Composition.

Qualifications of members.

pensation.

Payments to Reserve hanks.

Proportion to bank based on par value of holdings of Federal Deposit Insurance cor-poration stock. Agreement required.

Direct loans to capital for any such established industrial or commercial business; to make loans or advances direct to any such financing institution on the security of such obligations; and to make commitments with regard to such discount or purchase of obligations or with respect to such loans or advances on the security thereof, including commitments made in advance of the actual undertaking of such obligations. Each such financing institution shall obligate itself to the satisfaction of the Federal Reserve bank for at least 20 per centum of any loss which may be sustained by such bank upon any of the obliga-tions acquired from such financing institution, the existence and amount of any such loss to be determined in accordance with regulations of the Federal Reserve Board: Provided, That in lieu of such obligation against loss any such financing institution may advance at least 20 per centum of such working capital for any established industrial or commercial business without obligating itself to the Federal Reserve bank against loss on the amount advanced by the Federal Reserve bank: Provided, however, That such advances by the financing institution and the Federal Reserve bank shall be considered as one advance, and repayment shall be made pro rata under such regulations as the Federal Reserve Board may prescribe.

"(c) The aggregate amount of loans, advances, and commitments of the Federal Reserve banks outstanding under this section

at any one time, plus the amount of purchases and discounts under this section held at the same time, shall not exceed the combined surplus of the Federal Reserve banks as of July 1, 1934, plus all amounts paid to the Federal Reserve banks by the Secretary of the Treasury under subsection (e) of this section, and all operations of the Federal Reserve banks under this section shall be subject to

such regulations as the Federal Reserve Board may prescribe.

"(d) For the purpose of aiding the Federal Reserve banks in carrying out the provisions of this section, there is hereby established in each Federal Reserve district an industrial advisory committee, to be appointed by the Federal Reserve bank subject to the approval and regulations of the Federal Reserve Board, and to be composed of not less than three nor more than five members as determined by the Federal Reserve Board. Each member of such committee shall be actively engaged in some industrial pursuit within the Federal Reserve district in which the committee is estab-Service without com- lished, and each such member shall serve without compensation but shall be entitled to receive from the Federal Reserve bank of such district his necessary expenses while engaged in the business of the committee, or a per diem allowance in lieu thereof to be fixed by the Federal Reserve Board. Each application for any such loan, advance, purchase, discount, or commitment shall be submitted to the appropriate committee and, after an examination by it of the business with respect to which the application is made, the application shall be transmitted to the Federal Reserve bank, together with the recommendation of the committee.

"(e) In order to enable the Federal Reserve banks to make the loans, discounts, advances, purchases, and commitments provided for in this section, the Secretary of the Treasury, upon the date this section takes effect, is authorized, under such rules and regulations as he shall prescribe, to pay to each Federal Reserve bank not to exceed such portion of the sum of \$139,299,557 as may be represented by the par value of the holdings of each Federal Reserve bank of Federal Deposit Insurance Corporation stock, upon the execution by each Federal Reserve bank of its agreement (to be endorsed on the certificate of such stock) to hold such stock unencumbered and to pay to the United States all dividends, all payments on liquidation, and all other proceeds of such stock, for which dividends, payments, and proceeds the United States shall be secured by such stock itself up to the total amount paid to each Federal Reserve bank by the Secretary of the Treasury under this Agreement respective section. Each Federal Reserve bank, in addition, shall agree that, payments to United in the event such dividends payments, and other proceeds in any States. in the event such dividends, payments, and other proceeds in any calendar year do not aggregate 2 per centum of the total payment made by the Secretary of the Treasury, under this section, it will pay to the United States in such year such further amount, if any, up to 2 per centum of the said total payment, as shall be covered by the net earnings of the bank for that year derived from the use of the sum so paid by the Secretary of the Treasury, and that for said amount so due the United States shall have a first claim against such earnings and stock, and further that it will continue such payments until the final liquidation of said stock by the Federal Deposit Insurance Corporation. The sum so paid to each Federal to Reserve bank by the Secretary of the Treasury shall become a part of the surplus fund of such Federal Reserve bank within the meaning of this section. All amounts required to be expended by the Funds available to Secretary of the Treasury in order to carry out the provisions of this section shall be paid out of the miscellaneous receipts of the Treasury created by the increment resulting from the reduction of the weight of the gold dollar under the President's proclamation of January 31, 1934; and there is hereby appropriated, out of such receipts, such sum as shall be required for such purpose."

SEC. 2. Section 5202 of the Revised Statutes of the United States, as amended, is hereby amended by adding at the end thereof the

following new paragraph:

"Tenth. Liabilities incurred under the provisions of section 13b of the Federal Reserve Act.'

SEC. 3. Section 22 of the Federal Reserve Act is amended by add-

ing at the end thereof the following new paragraphs:

at the end thereof the following new paragraphs:

(h) Whoever makes any material statement, knowing it to be e, or whoever willfully overvalues any security, for the purpose

False representation. false, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of a Federal Reserve bank upon any application, commitment, advance, discount, purchase, or loan, or any extension thereof by renewal, deferment of action, or otherwise, or the acceptance, release, or substitution of security therefor, shall be punished by a fine of not more than \$5,000 or by imprison-

ment for not more than two years, or both.

"(i) Whoever, being connected in any capacity with a Federal Reserve bank (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise entrusted to it, or (2) with intent to defraud any Federal Reserve bank, or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner, makes any false entry in any book, report, or statement of or to a Federal Reserve bank, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, mortgage, judgment, or decree shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both.

"(j) The provisions of sections 112, 113, 114, 115, 116, and 117

of the Criminal Code of the United States, insofar as applicable, vol. 35, p. 1108; U.S.C. are extended to apply to contracts or agreements of any Federal Reserve bank under this Act. which, for the purposes in the contract of the contrac

Funds available to

R.S. sec. 5202, p. 1006. U.S.C., p. 264.

National Banks, limitation on indebted-

Federal Reserve Act,

Embezzlement, etc.

be held to include advances, loans, discounts, purchase, and repurchase agreements; extensions and renewals thereof; and acceptances,

Unlawful acts.

Fees for procuring, etc., loan.

Punishment for violation

Liability of Federal Reserve bank official.

Vol. 38, p. 261; U.S.C., p. 275. Federal Reserve Board; assessment for expenses.
Acquisition of building site.

Construction thereon.

Reconstruction Finance Corporation Act. Vol. 47, p. 8; U.S.C., Supp. VII, p. 266.

Loans to industrial or commercial business by Corporation.

Fishing industry included. Security.

Maturities.

Solvency of borrower required.
Aggregate
generally. amount,

To any one borrower.

releases, and substitutions of security therefor.

"(k) It shall be unlawful for any person to stipulate for or give or receive, or consent or agree to give or receive, any fee, commission, bonus, or thing of value for procuring or endeavoring to procure from any Federal Reserve bank any advance, loan, or extension of credit or discount or purchase of any obligation or commitment with respect thereto, either directly from such Federal Reserve bank or indirectly through any financing institution unless such fee, commission, bonus, or thing of value and all material facts with respect to the arrangement or understanding therefor shall be disclosed in writing in the application or request for such advance, loan, extension of credit, discount, purchase, or commitment. Any violation of the provisions of this paragraph shall be punishable by imprisonment for not more than one year or by a fine of not exceeding \$5,000, or both. If a director, officer, employee, or agent of any Federal Reserve bank shall knowingly violate this paragraph, he shall be held liable in his personal and individual capacity for any loss or damage sustained by such Federal Reserve bank in conse-

quence of such violation."

SEC. 4. Section 10 of the Federal Reserve Act, as amended, is further amended by changing the period at the end of the third paragraph thereof to a comma and inserting thereafter the follow-ing: "and such assessments may include amounts sufficient to pro-vide for the acquisition by the Board in its own name of such site or building in the District of Columbia as in its judgment alone shall be necessary for the purpose of providing suitable and adequate quarters for the performance of its functions. After approving such plans, estimates, and specifications as it shall have caused to be prepared, the Board may, notwithstanding any other provision of law, cause to be constructed on the site so acquired by it a building suitable and adequate in its judgment for its purposes and proceed to take all such steps as it may deem necessary or appropriate in connection with the construction, equipment, and furnishing of such building. The Board may maintain, enlarge, or remodel any building so acquired or constructed and shall have sole control of such building and space therein.'

SEC. 5. That the Reconstruction Finance Corporation Act, as amended (U.S.C., Supp. VII, title 15, ch. 14), is amended by insert-

ing before section 6 thereof the following new section:

Sec. 5d. For the purpose of maintaining and increasing the employment of labor, when credit at prevailing bank rates for the character of loans applied for is not otherwise available at banks, the Corporation is authorized and empowered to make loans to any industrial or commercial business, which shall include the fishing industry, established prior to January 1, 1934. Such loans shall in the opinion of the board of directors of the Corporation be adequately secured, may be made directly, or in cooperation with banks or other lending institutions, or by the purchase of participations, shall have maturities not to exceed five years, shall be made only when deemed to offer reasonable assurance of continued or increased employment of labor, shall be made only when, in the opinion of the board of directors of the Corporation, the borrower is solvent, shall not exceed \$300,000,000 in aggregate amount at any one time outstanding, and shall be subject to such terms, conditions, and restrictions as the board of directors of the Corporation may determine. The aggregate amount of loans to any one borrower under this section shall not exceed \$500,000.

"The power to make loans given herein shall terminate on Janu- Termination of power to loan. ary 31, 1935, or on such earlier date as the President shall by proclamation fix; but no provision of law terminating any of the functions of the Corporation shall be construed to prohibit disburse- Disbursement there-after on prior commitment of funds on loans and commitments, or agreements to make ments. loans, made under this section prior to January 31, 1935, or such earlier date."

SEC. 6. (a) Section 882 of the Revised Statutes (U.S.C., title 28, U.S.C., p. 930.

sec. 661) is amended to read as follows:

"Sec. 882. (a) Copies of any books, records, papers, or other copies of records, documents in any of the executive departments, or of any corporadence. tion all of the stock of which is beneficially owned by the United States, either directly or indirectly, shall be admitted in evidence equally with the originals thereof, when duly authenticated under the seal of such department or corporation, respectively.

"(b) Books or records of account in whatever form, and minutes (or portions thereof) of proceedings, of any such executive department or corporation, or copies of such books, records, or minutes authenticated under the seal of such department or corporation, shall be admissible as evidence of any act, transaction, occurrence, or event as a memorandum of which such books, records, or minutes were kept or made.

"(c) The seal of any such executive department or corporation

shall be judicially noticed."

(b) Section 4 of the Reconstruction Finance Corporation Act, as amended (U.S.C., Supp. VII, title 15, sec. 604), is amended by handled by hold of the semicolon following the words be judicially noticed. "corporate seal" a comma and the words "which shall be judicially noticed. noticed "

Sec. 7. Section 1001 of the Revised Statutes, as amended (U.S.C., U.S.C., p. 945. le 28, sec. 870), is amended by inserting immediately after the Bond in error and on title 28, sec. 870), is amended by inserting immediately after the Bond in error and or word "Government" the following: "or any corporation all the when not required. stock of which is beneficially owned by the United States, either directly or indirectly ".

SEC. 8. The Reconstruction Finance Corporation Act, as amended Supp. VII, p. 266. (U.S.C., Supp. VII, title 15, ch. 14), is further amended by inserting after section 5a thereof the following new section:

"Sec. 5b. Notwithstanding any other provision of law-

"(1) The maturity of drafts or bills of exchange which may be involving exportation accepted by the Corporation under section 5a of this Act, and the period for which the Corporation may make loans or advances under vol. 47, p. 711. sections 201 (c) and 201 (d) of the Emergency Relief and Construction Act of 1932, as amended, and under section 5 of this Act, may tion Act of 1932, as amended, and under section 5 of this Act, may be five years, or any shorter period, from February 1, 1935: Provided,

That in respect of loans or advances under such section 5 to railroads, to railroads.

Ante, p. 1108. railways, and receivers or trustees thereof, the Corporation may require as a condition of making any such loan or advance for a period longer than three years that such arrangements be made for the reduction or amortization of the indebtedness of the railroad or railway, either in whole or in part, as may be approved by the Corporation after the prior approval of the Interstate Commerce Commission.

"(2) The Corporation may at any time, or from time to time, payment. extend, or consent to the extension of, the time of payment of any loan or advance made by it, through renewal, substitution of new obligations, or otherwise, but the time for such payment shall not be extended beyond five years from February 1, 1935: Provided, Approval required, That the time of payment of loans or advances to railroads, railways, and receivers or trustees thereof, shall not be so extended

Extension, time of

Proviso.

except with the prior approval of the Interstate Commerce Commission, and, in the case of a loan to a railroad or railway, with the prior certification of the Interstate Commerce Commission that the railroad or railway is not in need of financial reorganization in the

public interest.

Vol. 30, p. 544; Vol. 47, p. 1474.
Reorganization of railroads. ompromise claims

state C mission

Proviso. Nature of settlement.

National Industrial Recovery Act.

Ante, p. 210; U.S.C., Supp. VII, p. 905. Loans by corpora-tion, financing con-struction projects.

Additional loans for

Time limitation on disbursements.

Vol. 47, p. 713.

Terms and conditions. Vol. 47, p. 711.

Adjustment of maturities of obligations.

Vol. 47, p. 711.

Emergency Mortgage Act.

Amount for drainage, etc., districts increased.

"(3) In connection with the reorganization under section 77 of of the Federal Bankruptcy Act, approved July 1, 1898, as amended, of or with receivership proceedings in a court or courts, of any railroad or railway indebted to the Corporation, or of any railroad or Approval of Inter. poration, the Corporation may, with the prior approval of the Interrailway the receivers or trustees of which are indebted to the Corsuch railroad or railway, or any such receiver or trustee, by accepting, in connection with any such reorganization or receivership proceedings and in exchange for securities or any part thereof then Acceptance of new held, new securities which may have such terms as to interest, maturity, and otherwise as may be approved by the Corporation, or part cash and part new securities so approved: Provided, That any such adjustment or compromise shall not be made on less favorable terms than those provided in the reorganization of the rail-road or railway for holders of claims of the same class and rank as the claim of the Corporation."

Sec. 9. Section 301 of the National Industrial Recovery Act (U.S.C., Supp. VII, title 40, sec. 412) is amended by inserting before the period at the end thereof a colon and the following: "Provided further, That in connection with any loan or contract or any commitment to make a loan entered into by the Reconstruction Finance Corporation prior to June 26, 1933, to aid in financing part or all of the construction cost of projects pursuant to section 201 (a) (1) of the Emergency Relief and Construction Act of 1932, as amended, the Corporation may make such further loans and contracts for the completion of any such project, or for improvements, additions, extensions, or equipment which are necessary or desirable for the proper functioning of any such project, or which will materially increase the assurance that the borrower will be able to repay the entire investment of the Corporation in such project, including such improvements, additions, extensions, or equipment; and the Corporation may disburse funds to the borrower thereunder, at any time prior to January 23, 1939, notwithstanding any provisions to the contrary contained in this section or in section 201 (h) of the Emergency Relief and Construction Act of 1932, as amended: Provided further, That any such further loans shall be made subject to all the terms and conditions set forth in the Emergency Relief and Construction Act of 1932, as amended, with respect to the loans authorized by section 201 (a) (1) of said Act."

Sec. 10. Notwithstanding any limitations on its power, the Reconstruction Finance Corporation, upon request of any borrower under section 201(a) of the Emergency Relief and Construction Act of 1932, as amended, may adjust the maturities of any obligations of such borrower now held by it, or hereafter acquired by it under lawful commitments, to such periods as may in the discretion of the Reconstruction Finance Corporation be proper, but such adjustment shall not extend any such maturity to more than twenty years from the advancing of the sum or sums evidenced thereby.

SEC. 11. Section 36 of the Emergency Farm Mortgage Act of 1933, Ante, p. 49; post, p. as amended (U.S.C., Supp. VII, title 43, sec. 403), is amended as VII, p. 922. follows:

> (1) By striking from the first sentence thereof "\$50,000,000 to or for the benefit of drainage districts, levee districts, levee and

drainage districts, irrigation districts, and similar districts," and inserting in lieu thereof "\$125,000,000 to or for the benefit of drainage districts, levee districts, levee and drainage districts, irrigation districts, and similar districts, mutual nonprofit companies and incorporated water users' associations".

(2) By striking from the second sentence thereof "district or "Borrower", to inpolitical subdivision" and inserting in lieu thereof "district, political sociation.

subdivision, company, or association".

(3) By amending clause (4) thereof to read as follows:

"(4) the borrower shall agree, insofar as it may lawfully do Agreement for repayso, that so long as any part of such loan shall remain unpaid the borrower will in each year apply to the repayment of such loan or to the purchase or redemption of the obligations issued to evidence such loan, an amount equal to the amount by which the assessments, taxes, and other charges collected by it exceed (a) the cost of operation and maintenance of the project, (b) the debt charges on its outstanding obligations, and (c) provision for such reasonable reserves as may be approved by the Corporation; and ".

(4) By adding at the end thereof the following new paragraph: When any loan is authorized pursuant to the provisions of this section and it shall then or thereafter appear that repairs and necessary extensions or improvements to the project of such district, political subdivision, company, or association are necessary or desirable for the proper functioning of its project or for the further assurance of its ability to repay such loan, and if it shall also appear that such repairs and necessary extensions or improvements are not designed to bring new lands into production, the Corporation, within the limitation as to total amount provided in this section, may make an additional loan or loans to such district, political subdivision, company, or association for such purpose or purposes. When application therefor shall have been made by any such district, political subdivision, company, or association any loan authorized by this section may be made either to such district, political subdivision, company, or association or to the holders or representatives of the holders of their existing indebtedness, and such loans may be made upon promissory notes collateraled by the obligations of such district, political subdivision, company, or association or through the purchase of securities issued or to be issued by such district, political subdivision, company, or associaton 1."

Sec. 12. (a) Sections 2 and 3 of the Act entitled "An Act to authorize the Reconstruction Finance Corporation to subscribe for preferred stock and purchase the capital notes of insurance companies, and for other purposes", approved June 10, 1933, as amended (U.S.C., Supp. VII, title 15, secs. 605f and 605g), are amended to read as follows:

"Sec. 2. In the event that any such insurance company shall be incorporated under the laws of any State which does not permit it note of, author Conditions. to issue preferred stock, exempt from assessment or additional liability, or if such laws permit such issue of preferred stock only by unanimous consent of stockholders, or upon notice of more than twenty days, or if the insurance company is a mutual organization without capital stock, the Reconstruction Finance Corporation is authorized for the purposes of this Act to purchase the legally issued capital notes of such insurance company, or, if the company is a mutual organization without capital stock, such other form or forms of indebtedness as the laws of the State under which such company

Additional loans for repairs and extensions.

Application for.

Security.

Purchase of capital ate of, authorized.

² So in original.

Security for loans.

is organized permit, or to make loans secured by such notes or such other form or forms of indebtedness as collateral, which may be subordinated in whole or in part or to any degree to claims of other creditors.

Requirement before subscription entered.

Showing of unim-

Showing of unimpaired capitals

Prociso.
Loans upon preferred stock or capital stock.

Compensation limitation; officials of applicant company.

Agreement required.

To limit compensa-

Retirement of stock, etc., issued for capital purposes.
"Compensation" construed.

"State" construed.

Farmer's cooperative mineral rights pools. Loans to.

Mining, milling, and smelting industries. Loans to.

Fish industry. Loans to.

"SEC. 3. The Reconstruction Finance Corporation shall not subscribe for or purchase any preferred stock or capital notes of any applicant insurance company, (1) until the applicant shows to the satisfaction of the Corporation that it has unimpaired capital, or that it will furnish new capital which will be subordinate to the preferred stock or capital notes to be subscribed for or purchased by the Corporation, equal to the amount of said preferred stock or capital notes so subscribed for or purchased by the Corporation: Provided, That the Corporation may make loans upon said preferred stock or capital notes, or other form or forms of indebtedness permitted by the laws of the State under which said applicant is organized, if, in its opinion, such loans will be adequately secured by said stock or capital notes or other form or forms of indebtedness and/or such other forms of security as the Corporation may require, (2) if at the time of such subscription, purchase, or loan any officer, director, or employee of the applicant is receiving total compensation in a sum in excess of \$17,500 per annum from the applicant and/or any of its affiliates, and (3) unless at such time, the insurance company agrees to the satisfaction of the Corporation that while any part of the preferred stock, notes, bonds, or debentures (or, in the case of a mutual insurance company, other form or forms of indebtedness permitted by the laws of the State under which the company is organized) of such insurance company is held by the Corporation, the insurance company, except with the consent of the Corporation, will not (a) increase the compensation received by any of its officers, directors, or employees from the insurance company and/or any of its affiliates, and in no event increase any such compensation to an amount exceeding \$17,500 per annum, or (b) retire any of its stock, notes, bonds, debentures, or other forms of indebtedness issued for capital purposes. For the purposes of this section, the term "compensation" is a section of the tion" includes any salary, fee, bonus, commission, or other payment

(b) Section 11 of such Act of June 10, 1933, as amended (U.S.C., Supp. VII, title 15, sec. 605i), is amended by adding at the end thereof the following new sentence: "As used in this section and in sections 1, 2, and 3 of this Act, the term 'State' means any State, Territory, or possession of the United States, the Canal Zone, and the District of Columbia."

direct or indirect, in money or otherwise for personal services."

Sec. 13. The Reconstruction Finance Corporation is authorized and empowered to make loans upon full and adequate security, based on mineral acreage, to recognized and established incorporated managing agencies of farmers' cooperative mineral rights pools not engaged in drilling or mining operations, said loans to be made for the purpose of defraying the cost of organizing such pools.

Sec. 14. The Reconstruction Finance Corporation is authorized and

Sec. 14. The Reconstruction Finance Corporation is authorized and empowered to make loans upon adequate security, based on mineral acreage to recognized and established incorporated agencies, individuals, and partnerships engaged in the business of mining, milling, or smelting of ores.

Sec. 15. The Corporation is authorized and empowered to make loans under section 5 of the Reconstruction Finance Corporation Act, as amended, to any person, association, or corporation organized under the laws of any State, the District of Columbia, Alaska, Hawaii, or Puerto Rico, for the purpose of financing the production, storage, handling, packing, processing, carrying, and/or orderly

marketing of fish of American fisheries and/or products thereof Terms and conditions. upon the same terms and conditions, and subject to the same limitations, as are applicable in case of loans made under said section 5,

as amended.

ized and empowered to make loans at any time prior to January school authorities for. 31, 1935, out of the funds of the Corporation was fall. 31, 1935, out of the funds of the Corporation upon full and adequate security, to public-school districts or other similar publicschool authorities organized pursuant to State law, for the purpose of payment of teachers' salaries due prior to June 1, 1934: Provided, That the agregate 1 amount of such loans at any time outstanding available. shall not exceed \$75,000,000.

Proviso. amount

Approved, June 19, 1934.

[CHAPTER 654.]

AN ACT

To amend the Air Commerce Act of 1926 and to increase the efficiency of the Aeronautics Branch of the Department of Commerce with respect to the development and regulation of civil aeronautics.

June 19, 1934. IS. 3526.1 [Public, No. 419]

Be it enacted by the Senate and House of Representatives of the (a) or section 2 of the Air Commerce Act of 1926 (U.S.C., Supp. Wol. 44, p. 568; VII, title 49, sec. 172(d)) is amended by inserting before the period U.S.C., Supp. VII, p. at the end of the first sentence thereof a comma and the following: at the end of the first sentence thereof a comma and the following: "aircraft, aircraft power plants, and accessories".

Sec. 2. Subdivision (e) of such section 2 (U.S.C., Supp. VII, title

49, sec. 172(e)) is amended to read as follows:

"(e) To investigate accidents in civil air navigation in the United cidents, civil aircraft States, including the attending facts, conditions, and circumstances, and for that purpose the Secretary, or any officer or employee of the Department of Commerce designated by him in writing for the purpose, is authorized to hold public hearings in such places and at such times as he shall deem practical, and for the purpose of such hearings, administer oaths, examine witnesses, require the preservation of evidence, and issue subpenas for the attendance and testimony of witnesses, or the production of books, papers, documents, exhibits, and other evidence, or the taking of depositions before any designated individual competent to administer oaths for the purposes of this Act. Witnesses summoned or whose depositions are taken shall receive the same fees and mileage as witnesses in the courts of the United States. All evidence taken at the hearing shall be recorded and forwarded to the Secretary. At the conclusion of an investigation of or hearing on any such accident or as soon thereafter as circumstances permit, the Secretary of Commerce shall, if he deems it in the public interest, make public a statement of the probable cause or causes of the accident, except that when the accident has resulted in serious or fatal injury, it shall be the duty of the Secretary to make public such a statement. Neither any such statement nor any report of such investigation or hearing, nor any part thereof, shall be admitted as evidence or used for any purpose in any suit or action growing out of any matter referred to in any such state-

Hearings.

Compulsion of testi-

Witness fees

Recording testimony.

Statement of prob-

Admission in evi-

ment, investigation, hearing, or report thereof."

Sec. 3. Subdivision (a) of section 3 of such Act (U.S.C., Supp. Vol. 44, p. 569; VII, title 49, sec. 173(a)) is amended by inserting after the second 1020.

Registration of airsentence thereof a semicolon and the following: "but the Secretary craft.

Limited registration, aircraft alien owned

So in original.

Restriction on use.

Rating of parachutes as to airworthiness.

Examination and rating of airlines engaged in interstate, etc., commerce.

Minimum safety

Vol. 44, p. 570; U.S.C., Supp. VII, p. 1020. Airline issuance, certificates, revocation,

Denied application, ayment of assessed payment costs.

Jurisdiction of district courts to compel testimony.

Production of books,

owned by aliens under such conditions as he may by regulation prescribe, but aircraft granted such limited registration shall not be permitted to engage in interstate or foreign air commerce."

SEC. 4. Subdivision (b) of such section 3 (U.S.C., Supp. VII, title 49, sec. 173(b)) is amended by inserting after the words "United States" in the first sentence thereof the following: "and parachutes used in connection with such aircraft,"

Sec. 5. Subdivision (d), as amended, of such section 3 (U.S.C., Supp. VII, title 49, sec. 173(d)) is amended by inserting before the period at the end thereof a comma and the following: "and provide for the examination and rating of all air lines engaged in interstate or foreign air commerce and establish minimum safety standards for the operation thereof "

Sec. 6. Subdivision (f) of such section 3 (U.S.C., Supp. VII, title 49, sec. 173(f)) is amended by inserting after the word "aircraft" in the first sentence thereof the word "airline" and a comma, and by etc. Limitation on power inserting after such sentence the 10110wing sentence.

Limitation on power of Commerce shall not deny any application for an airline certificate of Secretary to deny, of Commerce shall not deny application for an airline certificate, except for failure of the inserting after such sentence the following sentence: "The Secretary airline to comply with safety standards applicable to the operation

thereof prescribed by the Secretary."

Sec. 7. Subdivision (f) of such section 3 is further amended by adding at the end thereof the following sentence: "Where the decision in such hearing is adverse to the applicant for hearing, such applicant shall pay to the Secretary of Commerce, to be covered into the Treasury as miscellaneous receipts, an amount equal to such portion of the costs of the hearing as the Secretary of Commerce may designate, and in any case the applicant may be required by the Secretary of Commerce to furnish bond, with such surety as he may approve, to cover all such costs before the matter is heard.

SEC. 8. Such Act is amended by adding after section 3 (U.S.C.,

Supp. VII, title 49, sec. 173) a new section as follows:
"Sec. 3a. (1) In case of failure to comply with any subpena issued under authority of this Act, the Secretary of Commerce, or his authorized representative, may invoke the aid of any United States district court, the Supreme Court of the District of Columbia, or the United States court of any Territory or other place to which this Act applies. The court may thereupon order the person to whom the subpena was issued to comply with the requirements of the subpena or to give evidence with respect to the matter in question. Any failure to obey the order may be punished by the court as a contempt thereof.

"(2) No person shall be excused from attending and testifying or from producing books, papers, documents, exhibits, and other evidence before the Secretary of Commerce or his designated representative or in obedience to the subpena of the Secretary of Commerce or his designated representative, or in any cause or proceeding instituted by the Secretary of Commerce or his designated representative, on the ground that the testimony or evidence, documentary or otherwise, required of him, may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(3) Any notary public or other officer authorized by law of the deeds." United States, or any State, Territory, or possession thereof, or the District of Columbia, to take acknowledgment of deeds, any consular officer of the United States, and any officer or employee of the Department of Commerce designated by the Secretary in writing for the purpose, shall be competent to administer oaths for the purposes of this Act. Subpenas for the purposes of this Act may be served personally or sent by registered mail."

Sec. 9. Section 5 of such Act (U.S.C., Supp. VII, title 49, Vol. 44, p. 570;

Sec. 9. Section 5 of such Act (U.S.C., Supp. VII, p. 570;

Sec. 9. Section 5 of such Act (U.S.C., Supp. VII, p. 570;

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Sec. 9. Section 5 of such Act (U.S.C., Supp. VIII, p. 570;

Sec. 9. Section 5 of such Act (U.S.C., Supp. VIII, p. 570;

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Sec. 9. Section 5 of such Act (U.S.C., Supp. VIII, p. 570;

Sec. 9. Section 5 of such Act (U.S.C., Supp. VIII, p. 570;

sec. 175) is amended by adding at the end thereof the following new 1020

subdivision:

"(g) The persons owning or operating any bridge, causeway, Aids to air navigatransportation or transmission line, or any structure over navigable Lights and signals at waters of the United States shall maintain at their own expense obstruction

such lights and other signals thereon for the protection of air navigation as the Secretary of Commerce shall prescribe."

Sec. 10. Subdivision (k) of section 9 of such Act (U.S.C., Supp. VII, title 49, sec. 179 (k)) is amended by inserting before the period at the end thereof the following: "or of parachutes".

Sec. 11. Paragraph (3) of subdivision (a) of section 11 of such Conserting before the period of such Conserting before the period at the end thereof the following: "or to operate any sirling in interstate or foreign air commerce without an operate any airline in interstate or foreign air commerce without an airline certificate or in violation of the terms of any such certificate

SEC. 12. Paragraph (5) of subdivision (a) of such section 11 is tion of registered air-amended by inserting before the period at the end thereof the fol-craft. lowing: "or to operate any aircraft registered as an aircraft of the United States otherwise than in conformity with the regulations of the Secretary of Commerce pertaining thereto"

Approved, June 19, 1934

[CHAPTER 655.]

AN ACT

Relating to Philippine currency reserves on deposit in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed, when the funds therefor are made available, to establish on the books of the Treasury a credit deposit in the United states. in favor of the Treasury of the Philippine Islands for \$23,862,750.78, being an amount equal to the increase in value (resulting from the reduction of the weight of the gold dollar) of the gold equivalent at the opening of business on January 31, 1934, of the balances maintained at that time in banks in the continental United States by the Government of the Philippine Islands for its gold standard fund and its Treasury certificate fund less the interest received by it on such

SEC. 2. There is hereby authorized to be appropriated, out of the thorized. receipts covered into the Treasury under section 7 of the Gold Reserve Act of 1934, by virtue of the reduction of the weight of the gold dollar by the proclamation of the President on January 31, 1934, the amount necessary to establish the credit provided for in section 1 of this Act.

Approved, June 19, 1934.

June 19, 1934. [S. 3530.] [Public, No. 419.]

Philippine currency

Ante, p. 341.

[CHAPTER 656.]

AN ACT

June 19, 1934. [S. 3646.] [Public, No. 420.]

To amend section 938 of the Revised Statutes to vest the courts with discretion to refuse to order the return of vessels seized for violation of any law of the United States; and to amend subsection (b) of section 7 of the Air Commerce Act of 1926, as amended, to provide for the forfeiture of aircraft used in violation of customs laws.

Vessels seized for violation of laws.
Vesting courts with discretion to refuse to order return.
R.S., sec. 938, p. 178;
U.S.C., p. 937.

Be it enacted by the Senate and House of Representatives of the Violation of Representatives of the Congress assembled, That section 938 to the Revised Statutes (U.S.C., title 28, sec. 751) is amended by adding at the end thereof the following new sentence: "Notwith-Standing the provisions of this section or any other provisions of law relating to the return on honder of the provisions of the Revised Statutes (U.S.C., title 28, sec. 751) is amended by adding at the end thereof the following new sentence: "Notwith-Sc.C., p. 937. Be it enacted by the Senate and House of Representatives of the law relating to the return on bond of vessels seized for the violation of any law of the United States, the court having jurisdiction of the subject matter, may, in its discretion and upon good cause shown by United States, refuse to order such return of any such vessel to the claimant thereof.

Air Commerce Act of 1926, amendment. Vol. 44, p. 574; U.S.C. Supp. VII, p. 1922.

Penalty provisions.

Remission authorized.

Customs or public bealth regulation ap-plicable to aircraft Vol. 44, p. 572; U.S.C. Supp. VII, p. 1021.

SEC. 2. That subsection (b) of section 11 of the Air Commerce Act of 1926, as amended (U.S.C., Supp. VII, title 49, sec. 181), is amended by striking out the first sentence thereof and inserting in lieu thereof the following two new sentences: "Any person who (1) violates any provision of subdivision (a) of this section or any entry or clearance regulation made under section 7 (b) of this Act, or (2) any immigration regulation made under such section, shall be or (2) any immigration regulation made under such section, shall be of fine subject to a civil penalty of \$500 which may be remitted or mitigated by the Secretary of Commerce, or the Secretary of Labor, respectively, in accordance with such proceedings as the Secretary shall by regulation prescribe. Any person violating any customs or public health regulation made under section 7 (b) of this Act, or any provision of the customs or public-health laws or regulations thereunder made applicable to aircraft by regulation under such section shall be subject to a civil penalty of \$500, and any aircraft used in connection with any such violation shall be subject to seizure and forfeiture as provided for in such customs or public-health laws, which penalty and forfeiture may be remitted or mitigated by the Secretary of the Treasury."

Approved, June 19, 1934.

[CHAPTER 657.]

AN ACT

June 19, 1934. [S. 3696.] [Public, No. 421.]

Authorizing the President to make rules and regulations in respect to alcoholic beverages in the Canal Zone, and for other purposes.

Canal Zone. Alcoholic beverages a; rules and regula-

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to make rules and regulations in respect to the sale and manufacture of alcoholic beverages within, and the importation thereof into and exportation thereof from, the Canal Zone, including the authority to prescribe licenses and fees for the sale and manufacture of such beverages.

Penalty provisions.

Sec. 2. Any person violating any provision of such rules and regulations shall be punished by a fine of not more than \$500 or imprisoned in jail for not more than six months, or by both, and in addition the license of such person may be revoked or suspended as the President may by such rules and regulations prescribe.

Laws. etc., repealed.

Sec. 3. All laws, rules, regulations, and orders in force prior to the date this Act takes effect, insofar as they apply to the sale, manufacture, possession, transportation, importation, and exportation of alcoholic beverages in the Canal Zone, are repealed.

SEC. 4. This Act shall take effect on the thirtieth day after the Effective date. date of its enactment.

Approved, June 19, 1934.

[CHAPTER 658.]

AN ACT

To authorize the President to transfer to the Government of Haiti without charge to that Government certain property of the United States in Haiti.

June 19, 1934. [S. 3739.] [Public, No. 422.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President Haiti, transfer of desorption of the United States is hereby authorized, in his discretion, to transaction of the Government of Haiti, without charge against that Government, all right, title, and interest of the Government of the United States in such hereinafter-named property, now in Haiti, as may appear appropriate to the President of the United States:

(a) Equipment, supplies, materials; (b) buildings on land belonging to the Government of Haiti and land leased from private owners; and (c) three emphyteutic leases and one permanent easement covering four parcels of land used by the United States as a radio station at Port-au-Prince, Haiti.

SEC. 2. The Government of Haiti shall assume all obligations of Assumption of obligations. the Government of the United States under said leases and easements.

Approved, June 19, 1934.

[CHAPTER 659.]

AN ACT

To extend the times for commencing and completing the construction of a bridge _ across the Rio Grande at Boca Chica, Texas.

June 19, 1934. [S. 3788.] [Public, No. 423.]

Be it enacted by the Senate and House of Representatives of the commencing and completing the construction of a bridge across the bridging at Boca Chica, Texas, authorized to be built by the Boca Chica Bridge Company by an Act of Congress approved June 10, 1932, heretofore extended by Act of Congress approved March 1, 1933, are hereby further extended one and three years, respectively, from March 1, 1934.

Sec. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 19, 1934.

[CHAPTER 660.]

AN ACT

Donating bronze trophy guns to the Cohoes Historical Society, Cohoes, New York.

June 19, 1934. [H.R. 387.] [Public, No. 424.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, in his discretion, is hereby authorized to deliver to the order of the Cohoes Historical Society two bronze trophy guns stored in the Watervliet Arsenal at Watervliet, New York, and marked "W. A. 240" and "W. A. 241", caliber, four and one hundred and twenty-five thousandths: Provided, That the United States shall be put to no expense in connection with the delivery of said graps. shall be put to no expense in connection with the delivery of said guns. Approved, June 19, 1934.

[CHAPTER 661.]

AN ACT

June 19, 1934. [H.R. 1503.] [Public, No. 425.]

To amend the Act entitled "An Act to create the California Débris Commission and regulate hydraulic mining in the State of California", approved March 1, 1893, as amended.

Commission

Be it enacted by the Senate and House of Representatives of the California Débris United States of America in Congress assembled, That section 18 vol.27, p. 807; U.S.C., of the Act entitled "An Act to create the California Débris Commission and regulate hydraulic mining in the State of California", approved March 1, 1893, as amended (U.S.C., title 33, sec. 678), is amended to read as follows:

mining Hydraulic

"Sec. 18. The said commission may, at any time when the conprocess.

Modification of order dition of the navigable rivers or when the capacities of all impoundgranting privilege of.

ing and settling facilities erected by mine owners or such as may be ing and settling facilities erected by mine owners or such as may be provided by Government authority require same, modify the order granting the privilege to mine by the hydraulic mining process so as to reduce the amount thereof to meet the capacities of the facilities then in use; or, if actually required in order to protect the navigable rivers from damage or in case of failure to pay the tax prescribed by section 23 hereof within thirty days after same becomes due, may revoke same until the further notice of the commission.

Revocation.

Sec. 2. Section 23 of such Act, as amended (U.S.C., title 33, sec.

Tax payments.

683), is amended to read as follows:

"Sec. 23. Upon the construction by the said commission of dams or other works for the detention of debris from hydraulic mines and the issuing of the order provided for by this Act to any individual, company, or corporation to work any mine or mines by hydraulic process, the individual, company, or corporation operating thereunder working any mine or mines by hydraulic process, the debris from which flows into or is in whole or in part restrained by such dams or other works erected by said commission, shall pay for each cubic yard mined from the natural bank a tax equal to the total capital cost of the dam, reservoir, and rights of way divided by the total capacity of the reservoir for the restraint of débris, as determined in each case by the California Débris Commission, which tax shall be paid annually on a date fixed by said commission and in accordance with regulations to be adopted by the Secretary of the Treasury, and the Treasurer of the United States is hereby author-

known as the débris fund, and shall be expended by said commission under the supervision of the Chief of Engineers and direction of the Secretary of War, for repayment of any funds advanced by the

be offered to aid in the construction of such impounding dams, or other restraining works, or settling reservoirs, or sites therefor, as may be deemed necessary by said commission to protect the navigable channels of said river systems, on condition that all moneys

Determination of amount.

Credited to debris ized to receive the same. All sums of money paid into the Treasury under this section shall be set apart and credited to a fund to be

Liability.

Federal Government or other agency for the construction of restraining works and settling reservoirs, and for maintenance: Provided, Provisos. Deposit into Treas-That said commission is hereby authorized to receive and pay into the Treasury from the owner or owners of mines worked by the hydraulic process, to whom permission may have been granted so to work under the provisions thereof, such money advances as may

so advanced shall be refunded as the said tax is paid into the said débris fund: And provided further, That in no event shall the Government of the United States be held liable to refund same except as directed by this section." Approved, June 19, 1934.

[CHAPTER 662.]

AN ACT

Amending section 1 of the Act of March 3, 1893 (27 Stat.L. 751), providing for the method of selling real estate under an order or decree of any United States

June 19, 1934. [H.R. 1567.] [Public, No. 426.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of Congress approved the 3d day of March 1893, chapter 225, be amended so as to read as follows:
"All real estate or any interest in land sold under any order or

Real property sales under court order. Vol. 27, p. 751; U.S.C., p. 944.

Requirements.

decree of any United States court shall be sold at public sale at the courthouse of the county, parish, or city in which the property, or the greater part thereof, is located, or upon the premises, as the court rendering such order or decree of sale may direct: Provided, however, That the court may, upon petition therefor and a hearing thereon after such notice to parties in interest as said court shall direct, if it find that the best interests of said estate will be conserved thereby, order and decree the sale of such real estate or interest in land at private sale: Provided further, That the court shall appoint three disinterested persons to appraise said property, and said sale shall not be confirmed for less than two thirds of the appraised

Provisos. Private sales.

Appraisal and con-firmation.

Approved, June 19, 1934.

[CHAPTER 663.]

AN ACT

To make provision for suitable quarters for certain Government Services at El Paso, Texas, and for other purposes.

June 19, 1934. [H.R. 1731.] [Public, No. 427.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the at El Paso, Tex. owners of lots 11, 12, 13, 14, 15, portions of lots 16 and 17, block 21, Government services at El Paso, Tex. Lease of building for. owners of lots 11, 12, 13, 14, 15, portions of lots 16 and 17, block 21, Campbell's Addition, El Paso, Texas (hereinafter called the owners), have agreed to erect on such lots a building of such design, plan, and specifications as may be approved by the Secretary of the Treasury as suitable for the use of the Bureau of Immigration, the Bureau of Customs, the United States Public Health Service, and the Bureau of Plant Quarantine, the Secretary of the Treasury is authorized and directed to negotiate, and, subject to an appropriation therefor, lease such building and such lots from the owners for a term of twenty-five years after such building is ready for occupancy at a fair annual rental, subject to the limitations of section 322 of Part II of the Legislative Appropriation Act for the fiscal year ending June 30, 1933, approved June 30, 1932. Such lease shall contain a provision—

For a cancelation of the lease in the event that the lots on which the building is to be constructed are determined, judicially or by agreement, to be lands subject to the jurisdiction of the United States of Mexico.

Vol. 47, p. 412.

Sec. 2. There is authorized to be appropriated such amounts as ized. may be necessary to pay the installments of rent provided for in such lease.

Provision for can-celation of lease.

Approved, June 19, 1934.

Appropriation author-

[CHAPTER 664.]

AN ACT To amend section 99 of the Judicial Code (U.S.C., title 28, sec. 180), as amended.

Be it enacted by the Senate and House of Representatives of the

June 19, 1934, [H.R. 3357.] [Public, No. 428.]

North Dakota. To constitute judicial district. Divisions.

Southwestern.

Southeastern.

Northeastern.

Northwestern. Northwestern. Indian reservations.

Terms of court.

Clerk's office.

June 19, 1934 [H.R. 7348.] [Public, No. 429.]

Unpaid letters. To be sent to dead-letter office.

Or other designated office.

Judicial Code, United States of America in Congress assembled, That section 99 U.S.C., p. 886.

De w enacted by the Senate and House of Representatives of the Judicial Code, as amended (U.S.C., title 28, sec. 180), be or the Judicial Code, as amended (U.S.C., title 28, sec. 180), be amended to read as follows:

"Sec. 99. The State of North Dakota shall constitute one judicial district to be known as the district of North Dakota. The territory embraced on the 1st day of January 1932, in the counties of Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McIntosh, McLean, Mercer, Morton, Oliver, Sioux, Slope, and Stark shall constitute the southwestern division of said district; and the territory embraced on the data left division of said district; and the territory embraced on the date last mentioned in the counties of Barnes, Cass, Dickey, Eddy, Foster, Griggs, LaMoure, Ransom, Richland, Sargent, Sheridan, Steele, Stutsman, and Wells shall constitute the southeastern division; and the territory embraced on the date last mentioned in the counties of Benson, Bottineau, Cavalier, Grand Forks, Nelson, McHenry, Pembina, Pierce, Ramsey, Rolette, Traill, Towner, and Walsh shall constitute the northeastern division; and the territory embraced on the date last mentioned in the counties of Burke, Divide, McKenzie, Mountrail, Renville, Ward, and Williams shall constitute the northwestern division. The several Indian reservations and parts thereof within said State shall constitute a part of the several divisions within which they are respectively situated. Terms of the district court for the southwestern division shall be held at Bismarck on the second Tuesday in March; for the southeastern divimarch on the second Tuesday in March; for the southeastern division, at Fargo on the second Tuesday in December and at Jamestown on the second Tuesday in October; for the northeastern division, at Devils Lake on the second Tuesday in May and at Grand Forks on the second Tuesday in November; and for the northwestern division, at Minot on the second Tuesday in April. The clerk of the court shall maintain an office in charge of himself or a deputy

[CHAPTER 665.]

Approved, June 19, 1934.

AN ACT

at each place at which court is held in his district."

To amend section 3937 of the Revised Statutes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3937 of the Revised Statutes (39 U.S.C. 407) is hereby amended to read as follows:

"All domestic letters deposited in any post office for mailing, on which the postage is wholly unpaid or paid less than one full rate as required by law, except letters lawfully free, and duly certified letters of soldiers, sailors, and marines in the service of the United States, shall be sent by the postmaster to the dead-letter office in Washington, or to a post office designated by the Postmaster General, to be treated in the same manner as other undelivered letters. But Collection of postage in adjoining cities and in those adjacent districts of dense population having two or more post offices within a distance of three miles of each other, any letter mailed at one of such cities and/or offices and addressed to an adjoining city or to a locality within the delivery

of another of such offices, which shall have been inadvertently prepaid at the drop or local letter rate of postage only, may be forwarded to its destination through the proper office, charged with the amount of the deficient postage, to be collected on delivery.'

Approved, June 19, 1934.

[CHAPTER 666.]

AN ACT

Authorizing the Secretary of the Treasury to convey a part of the post-office site in San Antonio, Texas, to the city of San Antonio, Texas, for street purposes, in exchange for land for the benefit of the Government property.

June 19, 1934. [H.R. 8514.] [Public, No. 430.]

Be it enacted by the Senate and House of Representatives of the permit the widening of North Alamo Street adjacent to the post-thorized. San Antonio, Tex. Conveyance to, authorized site at San Antonio, Texas, and to make write the conveyance to the post-thorized. office site at San Antonio, Texas, and to make uniform the dimensions of the post-office site, the Secretary of the Treasury be, and he is hereby, authorized to convey by the usual quitclaim deed to the city of San Antonio, Texas, for street purposes only, a tract of land forming a part of the post-office site described as lying and being in the city of San Antonio, Texas-

Description of tract.

Beginning at the intersection of the east line of North Alamo Street fifty-five and six tenths feet wide with the south line of Travis Street fifty-five and six tenths feet wide, said point of beginning being the northwest corner of the present post-office site, running thence in an eastwardly direction a distance of ten and ten one-hundredths feet to a point in the line of Travis Street; thence in a southwardly direction a distance of three hundred and three and four-tenths feet to a point; thence in an eastwardly direction a distance of twenty-three and ninety-three one-hundredths feet to a point in the present north line of East Houston Street; thence in a southwesterly direction thirty-four and fifty-six one-hundredths feet to a point, being the intersection of the present north line of East Houston Street with the present east line of North Alamo Street; thence in a northwardly direction with the present line of North Alamo Street fifty-five and six tenths feet wide a distance of three hundred and eight and five tenths feet to the point or place of beginning, in consideration of the conveyance by the city of San Antonio, Texas, to the United States of a valid title in and to the triangular parcel of land which is a part of East Houston Street as now laid out and described as:

Consideration.

Beginning at a point being the intersection of the north line of East Houston Street as now laid out with the westerly line of Avenue E as now laid out seventy-eight feet wide, said point of beginning also being the present southeasterly corner of the post-office site; running thence in a northeastwardly direction with the line of Avenue E a distance of twenty-six and forty-three one-hundredths feet to a point; thence in a southwestwardly direction a distance of one hundred and thirteen and seventeen one-hundredths feet to a point in the line of East Houston Street as now laid out; thence in an eastwardly direction with the line of East Houston Street as now laid out a distance of ninety-five and seventy-five one-hundredths feet to the point or place of beginning.

Approved, June 19, 1934.

[CHAPTER 667.]

AN ACT

June 19, 1934 [H.R. 8700.] Public, No. 431.1 Canal Zone, Code of

To establish a Code of Laws for the Canal Zone, and for other purposes,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seven titles hereinafter set forth shall constitute the Code of Laws for the Canal Zone and shall, for all purposes, establish conclusively, and be deemed to embrace, all the permanent laws relating to or applying in the Canal Zone in force on the date of enactment of this Act, except such general laws of the United States as relate to or apply in the Canal Zone. Such code shall be designated as the "Canal Zone Code" and shall take effect on the expiration of ninety days after the date of enactment of this Act. Copies of such code printed at the Government Printing Office and bearing its imprint shall be conclusive evidence of the original of such code.

SEC. 2. The said Canal Zone Code shall not be published in the Session Laws or Statutes at Large, and there shall be printed and bound, as may be directed by the Joint Committee on Printing, such number of copies thereof as may be required for official use and distribution, including an index and any other explanatory matter

the committee may deem necessary.

Approved, June 19, 1934. [The Code of Laws for the Canal Zone is printed in a separate volume entitled, "Canal Zone Code, 1934."]

[CHAPTER 668.]

AN ACT

June 19, 1934 [H.R. 8910.] [Public, No. 432.]

To establish a National Archives of the United States Government, and for other purposes.

National Archives. Office of Archivist created. Appointment confirmation

Compensation. Employees. Qualifications. pointment

Confirmation.

Archivist. Superintendence of archives by. Inspection of records.

Requisition for transfer of documents.

Processo.
Exemption of confidential matter.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created the Office of Archivist of the United States, the Archivist to be appointed by the President of the United States. by and with the advice and consent of the Senate.

SEC. 2. The salary of the Archivist shall be \$10,000 annually. All persons to be employed in the National Archives Establishment shall be appointed by the Archivist solely with reference to their fitness for their particular duties and without regard to civil-service law; and the Archivist shall make rules and regulations for the government of the National Archives; but any official or employee with salary of \$5,000 or over shall be appointed by the President by and with the advice and consent of the Senate.

SEC. 3. All archives or records belonging to the Government of the United States (legislative, executive, judicial, and other) shall be under the charge and superintendence of the Archivist to this extent: He shall have full power to inspect personally or by deputy the records of any agency of the United States Government whatsoever and wheresoever located, and shall have the full cooperation of any and all persons in charge of such records in such inspections, and to requisition for transfer to the National Archives Establishment such archives, or records as the National Archives Council, hereafter provided shall approve for such transfer, and he shall have authority to make regulations for the arrangement, custody, use, and withdrawal of material deposited in the National Archives Building: Provided, That any head of an executive department, independent office, or other agency of the Government may, for limited periods, not exceeding in duration his tenure of that office, exempt from examination and consultation by officials, private individuals, or any other persons such confidential matter transferred from his department or office, as he may deem wise.

SEC. 4. The immediate custody and control of the National of Archives Building. Archives Building and such other buildings, grounds, and equipment as may from time to time become a part of the National Archives Establishment (except as the same is vested by law in the Director of National Buildings, Parks, and Reservations) and their contents shall be vested in the Archivist of the United States.

Sec. 5. That there is hereby created also a National Historical Publications Commission which shall make plans, estimates, and sion.

Publications for such historical works and collections of Publication of historical works. recommendations for such historical works and collections of torical works sources as seem appropriate for publication and/or otherwise recording at the public expense, said Commission to consist of the Archivist of the United States, who shall be its chairman; the historical adviser of the Department of State; the chief of the historical section of the War Department, General Staff; the superintendent of naval records in the Navy Department; the Chief of the Division of Manuscripts in the Library of Congress; and two members of the American Historical Association appointed by the president thereof from among those persons who are or have been members of the executive council of the said association: Provided, That the preparation and publication of annual and special reports on the lication of reports. Precedence in publication and records of the Government, guides, inventory lists, catalogs, and other instruments facilitating the use of the collections shall have precedence over detailed calendars and tentral shall have precedence over detailed calendars and textual reproductions. This Commission shall meet at least once a year, and the members shall serve without compensation except repayment of expenses actually incurred in attending meetings of the Commission.

Sec. 6. That there is hereby further created a National Archives Council.

Composition. Council composed of the Secretaries of each of the executive departments of the Government (or an alternate from each department to be named by the Secretary thereof), the Chairman of the Senate Committee on the Library, the Chairman of the House Committee on the Library, the Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States. The said Council shall define the classes of material which shall be Classes of material by for transfer defined by transferred to the National Archives Building and establish regulations governing such transfer; and shall have power to advise the Regulations Archivist in respect to regulations governing the disposition and use of the archives and records transferred to his custody.

SEC. 7. The National Archives may also accept, store, and preserve hostorical sound remotion-picture films and sound recordings pertaining to and illus-cordings.

Acceptance authorized trative of historical activities of the United States, and in connectived.

Acceptance authorized to the united states, and in connectived.

Acceptance authorized purposes and maintenance. and reproducing such sound recordings for historical purposes and study.

Sec. 8. That the National Archives shall have an official seal which will be judicially noticed.

SEC. 9. That the Archivist shall make to Congress, at the beginning of each regular session, a report for the preceding fiscal year as to the National Archives, the said report including a detailed statement of all accessions and of all receipts and expenditures on account of the said establishment. He shall also transmit to Congress the recommendations of the Commission on National Historical Publications, and, on January 1 of each year, with the approval of the Council, a list or description of the papers, documents, and so forth (among the archives and records of the Government), which appear to have no permanent value or historical interest, and which, with the concurrence of the Government agency concerned, and subject to the approval of Congress, shall be destroyed or otherwise effectively disposed of.

Commission, meetings of.

National Archives

Regulations govern-

Reports to Congress

73d CONGRESS. SESS. II. CHS. 668-670. JUNE 19, 1934.

Sec. 10. That there are hereby authorized such appropriations

Appropriations au-thorized. Ante, p. 1026.

Printing and binding.

as may be necessary for the maintenance of the National Archives Building and the administration of the collections, the expenses, and work of the Commission on National Historical Publications, the supply of necessary equipment and expenses incidental to the operations aforesaid, including transfer of records to the Archives Building; printing and binding; personal services in the District of Columbia and elsewhere; travel and subsistence and per diem in lieu of subsistence, notwithstanding the provisions of any other Acts; stenographic services by contract or otherwise as may be deemed necessary; purchases and exchange of books and maps; purchase, exchange, and operation of motor vehicles; and all absolutely necessary contingent expenses, all to be expended under the direction of the Archivist, who shall annually submit to Congress estimates there-

Annual estimates to Congress.

Inconsistent acts re-

for in the manner prescribed by law.

Sec. 11. All Acts or parts of Acts relating to the charge and superintendency, custody, preservation, and disposition of official papers and documents of executive departments and other governments. mental agencies inconsistent with the provisions of this Act are hereby repealed.

Approved, June 19, 1934.

[CHAPTER 669.]

AN ACT

June 19, 1934. [H.R. 8954.] [Public, No. 433]

To amend an Act approved June 14, 1932 (47 Stat. 306), entitled "An Act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River." Yellowstone River.

Waters in Yellow-stone National Park.

Be it enacted by the Senate and House of Representatives of the Montana-Wyoming. Agreement for division of waters of Yellowstone River. Wol. 47, p. 306.

Be it enacted by the Senate and House of Representatives of the Congress assembled, That the Act approved June 14, 1932 (47 Stat. 306) entitled "An Act granting the consent of Congress to the States of Montana and Wyoming" to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River", is hereby amended by adding the following thereto: "Provided further, That nothing in this Act shall apply to any waters within the Yellowstone National Park or shall establish any right or interest in or to any lands within the boundaries thereof."

Approved, June 19, 1934.

[CHAPTER 670.]

AN ACT

June 19, 1934. [H.R. 9123.] [Public, No. 434.]

To authorize the Secretary of War to lend War Department equipment for use at the Sixteenth National Convention of the American Legion at Miami, Florida, during the month of October 1934.

American Legion. Loan of Army equip-ment to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to lend, at his discretion, to the American Legion, 1934 Convention Corporation, for use at the Sixteenth National Convention of the American Legion to be held at Miami, Florida, in the month of October 1934, such tents, cots, and blankets, and other available stock out of the Army and National Guard supplies as such corporation may require to house properly Legionnaires attending such convention: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such convention as may be agreed upon by the Secretary

of War and the American Legion 1934 Convention Corporation,

Provisos No Federal expense. through the executive vice president of such corporation, Charles A. Mills: Provided further, That the Secretary of War, before delivering such property, shall take from such corporation a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States. Approved, June 19, 1934.

Bond required.

[CHAPTER 671.]

AN ACT

Providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War.

June 19, 1934. IH.R. 9143. [Public, No. 435.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is Children of veterans hereby authorized to be appropriated, from funds to the credit of World War. the District of Columbia in the Treasury of the United States not Appropriation authorized to provide otherwise appropriated, the sum of \$3,600, annually, for the fiscal educational opportunities for. years 1935 to 1943, inclusive, for aid in the education of children (between the ages of sixteen and twenty-one years, inclusive, who have had their domicile in the District of Columbia for at least five years) of those who lost their lives during the World War as a result of service in the military or naval forces of the United States, including tuition, fees, maintenance, and the purchase of books and supplies: *Provided*, That not more than \$200 shall be available for any one child in any one year: Provided further, That appropriations made in accordance with this Act shall be expended, under rules and regulations prescribed by the Board of Education of the District of Columbia, only for such children as the said Board, from time to time, may find to be in need of such aid and in such amounts as the said Board from time to time may determine in the case of each child.

Expenditure.

Approved, June 19, 1934.

[CHAPTER 672.]

AN ACT

To regulate the business of life insurance in the District of Columbia.

June 19, 1934. [H.R. 9178.] [Public, No. 436.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled,

Life Insurance Act, D.C.

Contents.

CONTENTS

CHAPTER I-TITLE AND DEFINITIONS

Title and definitions, p. 1127.

Sec. 1. Short title. Sec. 2. Definitions.

CHAPTER II-POWERS AND DUTIES OF SUPERINTENDENT-GENERAL PROVISIONS

CHAPTER II—Powers and Duties of Superintendent—General Provisions

Sec. 1. Insurance department; Superintendent of insurance; oath; bond; 1129.

Powers and dunes of Superintendent, General provisions, post, p. assistants; seal; certificate with evidence; annual report.

Powers and duties of

2. Fees and charges. Sec.

Sec. 3. Taxes.

Sec. 4. Tax refunds.

Sec. 5. Certificate of authority.

Sec. 6. Revocation of certificate of authority.

7. Annual statement forms to be furnished by Superintendent.

Sec. 8. Annual statement.

Sec. 9. Penalty for false statement.

Sec. 10. Deceptive statements prohibited.

Sec. 11. Contents of advertisements.

- Sec. 12. Defamation of companies.
- Sec. 13. Penalty for refusing to appear and testify in examinations.
- Sec. 14. Court proceedings.
- Sec. 15. False statements in application for insurance.
- Sec. 16. General deposit.
- Sec. 17. Holding of general deposits by Auditor and Secretary to Board of Commissioners.
- Sec. 18. Withdrawal of general deposits.
- Sec. 19. Examinations.
- Sec. 20. Receivership proceedings.
- Sec. 21. When company to be deemed insolvent.
- Sec. 22. Reinsurance by Superintendent.
- Sec. 23. Amortization.
- Sec. 24. Attorney for service of process.
- Sec. 25. Political contributions prohibited.
- Sec. 26. General Agent's, Agent's and Solicitor's Qualifications and Licenses.
- Sec. 27. Suspension or revocation of license.
- Sec. 28. Appeal from Rulings.
- Sec. 29. Brokers.
- Sec. 30. Embezzlement; penalty.
- Sec. 31. Contract of minor for life, health, and accident insurance.
- Sec. 32. Assessment companies.
- Sec. 33. Appeal from Superintendent to Commissioners.

Domestic companies, post, p. 1142.

CHAPTER III-DOMESTIC COMPANIES

- Sec. 1. Articles of incorporation.
- Sec. 2. Publication of articles of incorporation; notice of intention to form company; bond of incorporators.
- Sec. 3. Approval of articles of incorporation; completion of organization of company.
- Sec. 4. Authority to solicit subscriptions to capital of company in course of organization.
- Sec. 5. Subscription to capital stock; limitation of expense on sale of capital stock.
- Sec. 6. Examination of company in course of organization.
- Sec. 7. When corporate powers of company in course of organization shall cease.
- Sec. 8. Capital stock requirements.
- Sec. 9. Amendment of articles of incorporation,
- Sec. 10. Increase of capital stock,
- Sec. 11. Decrease in capital stock.
- Sec. 12. Liability of stockholders.
- Sec. 13. Stock payment calls.
- Sec. 14. Stock transfers.
- Sec. 15. Capital stock book.
- Sec. 16. Corporations and associations as members of mutual companies.
- Sec. 17. Mutual companies; when to commence business.
- Sec. 18. Reorganization of existing corporations.
- Sec. 19. Conversion of a stock life company into a mutual life company.
- Sec. 20. Corporations heretofore formed.
- Sec. 21. Directors.
- Sec. 22. Bylaws.
- Sec. 23. Election of directors.
- Sec. 24. Cumulative voting.
- Sec. 25. Voting power under policies of group life insurance.
- Sec. 26. Liability of directors.
- Sec. 27. Salaries to be authorized by directors.
- Sec. 28. Limitation of dividends to stockholders and policyholders.
- Sec. 29. Officers.

- Sec. 30. Officers and directors not to be pecuniarily interested in transactions.
- Sec. 31. Voting trusts prohibited.
- Sec. 32. Maximum and contingent premiums of mutual companies.
- Sec. 33. Classification of risks by mutual companies.
- Sec. 34. Mutual company guaranty fund; mutual company power to borrow.
- Sec. 35. Investment of funds of domestic companies.
- Sec. 36. Domestic company real estate holdings.
- Sec. 37. Reinsurance by domestic companies in authorized companies.
- Sec. 38. Vouchers for disbursements.
- Sec. 39. Books, records, accounts, and vouchers of domestic companies.
- Sec. 40. Capital stock acquisition by company of its own shares.

CHAPTER IV—RELATING TO ADMISSION OF FOREIGN AND ALIEN COMPANIES

Foreign and alien companies, admission of, post, p. 1154.

- Sec. 1. Application of foreign or alien company for authority to do business in the District.
- Sec. 2. Trustees of alien companies.

CHAPTER V-Provisions Relating to All Life-Insurance Companies

Life-insurance companies, provisions relating to, post, p. 1156.

- Sec. 1. Superintendent to value policies; legal standard of valuation.
- Sec. 2. Separate classes and accounts to be kept for participating and non-participating insurance.
- Sec. 3. Standard provisions required in life insurance policies.
- Sec. 4. Provisions prohibited in life insurance policies.
- Sec. 5. Standard provisions required in annuities and pure endowment contracts
- Sec. 6. Extension of time for payment of life premiums.
- Sec. 7. Interest on policy and premium loans may be added to principal.
- Sec. 8. Life-policy forms to be filed with Superintendent.
- Sec. 9. Provisions required by the laws of a company's own State may be included in policies.
- Sec. 10. Definition of group life insurance.
- Sec. 11. Standard provisions for policies of group life insurance.
- Sec. 12. Standard provisions for accident and health policies.
- Sec. 13. Stock operations and advisory board contracts prohibited.
- Sec. 14. Misrepresentations prohibited.
- Sec. 15. Discriminations prohibited.
- Sec. 16. Rights of creditors and beneficiaries under policies of life insurance.
- Sec. 17. Exemption of group life insurance policies from execution.
- Sec. 18. False statements.
- Sec. 19. Proceeds of certain policies to be held in trust by life company.
- Sec. 20. When actual premium for life policy is less than net premium.

CHAPTER VI-PENALTIES-CONSTITUTIONALITY

Penalties-Constitutionality, post, p. 1176.

- Sec. 1. Penalties; constitutionality.
- Sec. 2. Testimony; production of books.
- Sec. 3. Constitutionality.
- Sec. 4. Repeals.
- Sec. 5. Effective date of act.

CHAPTER I—TITLE AND DEFINITIONS

- Sec. 1. Short title.
- Sec. 2. Definitions.

Section 1. Short title.—This Act shall be known as the "Life Insurance Act." All life insurance companies now or hereafter incorporated or formed by authority of any general or special law of this District or by other Act of Congress, and all foreign and alien companies authorized to do business in this District, shall be subject to this Act.

Short title.

73d CONGRESS. SESS. II. CH. 672. JUNE 19, 1934.

Definitions.

SEC. 2. DEFINITIONS.—In this Act, unless the context otherwise

"District."

"Commissioners."

District "means the District of Columbia; "Commissioners" means the Commissioners of the District of

"Superintendent."

Columbia; "Superintendent" means the Superintendent of Insurance of the District of Columbia;

"Department."

"Department" means the Department of Insurance of the District

"Company."

of Columbia; "Company" means any life insurance company and includes a corporation, company, or association of persons engaged in or proposing to engage in the business of life insurance;
"Domestic company" means an insurance company organized

"Domestic com-

under the laws of the District, or formed or organized under an Act of Congress;

"Foreign company."

"Foreign company" means an insurance company organized under the laws of any State of the United States, or of any Territory or

"Alien company."

insular possession of the United States;
"Alien company" means a company organized under the laws of any country other than the United States or a Territory or insular

"Person."

possession thereof;
"Person" includes individuals, corporations, associations, and partnerships; personal pronouns include all genders; the singular includes the plural, and the plural includes the singular,

The term "general agent" in this Act shall include an individual,

"General agent."

copartnership, or corporation authorized in writing by a company, association, or exchange to solicit risks and collect premiums, and/or issue policies in its behalf.

The terms "agent" in this Act shall include an individual, copart-

"Agent."

nership, or corporation authorized in writing by a company, association, or exchange to solicit risks and collect premiums in its behalf.

"Solicitor."

The term "solicitor" in this Act shall include any individuals authorized in writing by a duly licensed agent to solicit risks and

collect premiums in behalf of said agent.

The terms "agent" and "solicitor" shall not include officers or salaried employees of any company, association, or exchange which is authorized to transact business in the District, who do not solicit,

"Broker."

negotiate, or place risks.

The term "broker" in this Act shall include consultant, surveyor and/or any person, partnership, association, or corporation who, for money, commission, or anything of value, acts or aids in any manner on behalf of the insured in negotiating contracts of insurance

"Net premium receipts."

or placing risks or taking out insurances, including surety bonds; "Net premium receipts" means gross premiums received less the sum of the following:

1. Premiums returned on policies canceled or not taken;

2. Premiums paid for reinsurances where the same are paid to companies duly licensed to do business in the District; and 3. Dividends paid in cash or used by policyholders in pay-

ment of renewal premiums or in purchase of paid-up additional insurance.

"Surplus."

"Surplus" means the excess of admitted assets over liabilities and capital, in the case of a company with capital stock, and the excess of admitted assets over liabilities in the case of a company without capital stock;

"Liabilities."

"Liabilities" means all debts, due or to become due, contingent or otherwise, of which the company has knowledge, and includes the reserves required by this Act;

"Industrial life insurance" means that form of life insurance, "Industrial life insurance, surance." either (a) under which the premiums are payable weekly, or (b) under which the premiums are payable monthly or oftener, if the face amount of insurance provided in the policy is less than \$1,000, and the words "industrial policy" are plainly printed upon the policy as a part of the descriptive matter.

CHAPTER II-POWERS AND DUTIES OF SUPERINTENDENT; GENERAL Provisions

- Sec. 1. Insurance department; Superintendent of insurance; oath; bond; assistants; seal; certificate with evidence; annual report.
- Sec. 2. Fees and charges.
- Sec. 3. Taxes.
- Sec. 4. Tax refunds.
- Sec. 5. Certificate of authority.
- Sec. 6. Revocation of certificate of authority.
- Sec. 7. Annual statement forms to be furnished by Superintendent.
- Sec. 8. Annual statement.
- Sec. 9. Penalty for false statement.
- Sec. 10. Deceptive statements prohibited.
- Sec. 11. Contents of advertisements.
- Sec. 12. Defamation of companies.
- Sec. 13. Penalty for refusing to appear and testify in examinations.
- Sec. 14. Court proceedings.
- Sec. 15. False statements in application for insurance.
- Sec. 16, General deposit,
- Sec. 17. Holding of general deposits by Auditor and Secretary to Board of Commissioners.
- Sec. 18. Withdrawal of deposits.
- Sec. 19. Examinations.
- Sec. 20. Receivership proceedings.
- Sec. 21. When company to be deemed insolvent.
- Sec. 22. Reinsurance by Superintendent.
- Sec. 23. Amortization.
- Sec. 24. Attorney for service of process.
- Sec. 25. Political contributions prohibited.
- Sec. 26. General Agent's, Agent's and Solicitor's Qualifications and Licenses.
- Sec. 27. Suspension or revocation of license.
- Sec. 28. Appeal from Ruling.
- Sec. 29. Brokers.
- Sec. 30. Embezzlement; penalty.
- Sec. 31. Contract of minors for life, health, and accident insurance.
- Sec. 32. Assessment companies.
- Sec. 33. Appeal from Superintendent to Commissioners.

SECTION 1. INSURANCE DEPARTMENT; SUPERINTENDENT OF INSUR-ANCE; OATH; BOND; ASSISTANTS; SEAL; CERTIFICATE WITH EVIDENCE; ANNUAL REPORT.—There shall be continued in the District a Depart- Department of Inment charged with the execution of the laws relating to insurance, of Columbia. to be called the "Department of Insurance of the District of Colum-At the head of such Department there shall be a Superintendent of Insurance, who shall devote his entire service to the Department. He shall be appointed by and hold his office at the pleasure Appointment; tenure of the Commissioners. The Superintendent, during his term of of office.

Restriction on other office, shall not be interested in the business of any insurance com- employment pany except as a policyholder. He shall take and subscribe an oath of office which shall be filed with the Commissioners. In said Department there shall be also two Deputy Superintendents and such other personnel as may be necessary within appropriations annually

Superintendent.

Restriction on other Oath.

Assistants.

Seal

Compensation.

made by Congress for said Department. The compensation of the Superintendent, Deputy Superintendents, and other personnel shall be fixed in accordance with the provisions of the Classification Act of 1923, as amended.

In case of the absence or inability of the Superintendent, or in the event of the removal of the Superintendent, and pending the appointment of his successor, one of the Deputy Superintendents

shall perform the duties of the Superintendent.

The Commissioners shall provide the Department with an official seal, which shall be the seal of the District of Columbia surrounded by a border in which shall appear "Department of Insurance of the District of Columbia."

Sealed instruments

Every certificate and other document or paper executed by such Superintendent, or his deputies, in pursuance of any authority conferred upon him by law and sealed with the seal of his office, and all copies of papers certified by him or by his deputies and authenticated by said seal, shall, in all cases, be evidence equally and in like manner as the original thereof and shall have the same force and effect as would the original in any suit or proceeding in any court of this District.

Public office and rec-

The office of the Superintendent shall be a public office, and the records, books, and papers thereof on file therein shall be public records of the District, except as it may be provided otherwise herein.

Annual report.

The Superintendent shall report annually to the Commissioners his official transactions, and shall include in such report abstracts of the annual statements of the several companies and an exhibit of the financial condition and business transactions of the same as shown by their annual statements. He shall also include therein a statement of the receipts and expenditures of the Department for the preceding year and such recommendations relative to insurance and the insurance laws of the District as he shall deem proper.

Attendance, national conventions of insurance commissioners.

The Superintendent is authorized to attend and participate in the meetings of the national convention of insurance commissioners and of the committees thereof; he is also authorized to visit the insurance departments of the various States when in his judgment such visits are necessary for the proper conduct of his official office; and he may require such of his assistants as he may designate to attend and participate in such meetings, all subject to the prior approval of the Commissioners. The actual expense of such attendance by the Superintendent and his assistants shall be paid in like manner as other expenses of the District are paid.

Fees and charges. Payment and deposit.

SEC. 2. FEES AND CHARGES.—All charges and fees provided for in this section shall be paid to the collector of taxes of the District of Columbia and deposited in the Treasury of the United States to the credit of the District.

For filing charter or articles of incorporation or association, or deed of settlement or copy thereof, required by law, \$10; for each company certificate of authority, \$10; for license of each general agent, \$50; for license of each agent or solicitor, \$5; for license of each broker, \$50. All licenses for brokers, insurance companies, their agents or solicitors, who may apply for permission to do business in the District of Columbia, shall date from the first of the month in which application is made and expire on the 30th day of April

following, and payment shall be made in proportion.

SEC. 3. TAXES.—Every company shall pay to the collector of taxes Determination of as- for the District of Columbia a sum of money as taxes equal to 11/2 per centum of its net premium receipts from business done in the

Taxes. sessment. District of Columbia, said taxes to be paid before the 1st day of March of each year on the amount of such income for the year ending December 31 next preceding, in lieu of all other taxes, except taxes upon real estate and fees and charges provided for in section 2 of this chapter.

If a company shall cease to do business in the District it shall When not in business thereupon make report to the Superintendent of the premiums collected and the date whereon it ceased to do business subject to taxation under this Act and not theretofore reported and shall forthwith pay to the collector of taxes of the District of Columbia the

tax thereon computed according to law.

If a company refuses to make any report for taxation or to pay report or pay.

Penalty, refusal to the tax imposed upon it as required by the law, it shall be liable to the District for the amount thereof and a penalty of 8 per centum per month for each month it has failed after demand therefor. Service of process in any action to recover such tax or penalty shall be made according to the requirements of the law relating to actions brought

against companies.

Sec. 4. Tax refunds.—Whenever it appears to the satisfaction of the Superintendent that because of some error, mistake, or erroneous interpretation of a statute, a company has paid fees, charges, or taxes in excess of the amount legally chargeable against it, the Superintendent shall, on application of the company, present the matter to the Commissioners, with the view of refunding to such company any such excess, or applying the excess or portion thereof toward the payment of fees, charges, or taxes already due from

such company.

ch company.

Sec. 5. Certificate of Authority.—It shall be the duty of the Certificate of authority to a company when lissue to company the company company the company company the company company company company the company compa Superintendent to issue a certificate of authority to a company when "Issue to company it shall have complied with the requirements of the laws of the Dis-requirements." trict so as to entitle it to do business therein. In each case the certificate shall be issued under the seal of the Superintendent authorizing and empowering the company to transact the kind or kinds of business specified in the certificate. No company shall transact any Transaction of business specified in the certificate. business of insurance in the District until it shall have received a certificate of authority as herein prescribed and no company shall transact any business of insurance not specified in such certificate of authority. Before a company shall be authorized to transact business within the District the Superintendent shall be satisfied by such examination as he may make or such evidence as he may require that such company is duly qualified under the laws of the District to transact business therein.

SEC. 6. REVOCATION OF CERTIFICATE OF AUTHORITY.—If the Superintendent shall find that a domestic, foreign, or alien company is Grounds for insolvent, or that it does not have the surplus required by this Act and invested as by this Act required, or that it does not have the surplus or whose policyholders do not have the contingent assessment liability required by this Act; or, if an alien company, that it does not have a surplus required by this Act and invested as by this Act required in the United States; or, if an alien company, that it does not have the deposit required by this Act; or, if he finds that the authorized capital of any domestic, foreign, or alien capital stock company is impaired and the company is not promptly restoring the deficiency or reducing its capital; or, that any domestic, foreign, or alien company has violated or failed to comply with the law or its charter; or, that the company or any of its officers has willfully refused or failed to submit to examination or to perform any obligation relative thereto, he may revoke the certificate of authority of

Payment.

Tax refunds.

Revocation of certifi-

such company and thereafter no new insurance business shall be transacted by the company or its agents until the Superintendent shall issue a new certificate of authority to the company.

Notice of proposed revocation

Suspension without notice.

Annual statements.

Forms to be furnished.

Requirement of filing.

Verification.

Statement of alien company.

False statement; penalty

Deceptive state-ments prohibited.

Advertisements, con-tents of.

Alien companies.

The Superintendent shall not revoke the certificate of authority of any company until he has given the company not less than thirty days' notice of the proposed revocation and of the grounds alleged therefor and has afforded the company an opportunity to show that its certificate of authority should not be revoked. When the further transaction of business would be hazardous to the policyholders of any company, the Superintendent may suspend the certificate of authority without giving notice as above required.

Sec. 7. Annual statement forms to be furnished by Superin-TENDENT.—The Superintendent shall, annually, in the month of December, furnish to each of the companies authorized to do business in the District and required to make an annual statement to the Department two or more blanks in form adapted for such statements, and which shall conform as nearly as may be practicable to the form of statement from time to time adopted by the national convention of insurance commissioners.

Sec. 8. Annual Statement.—Every company doing business in the District shall file with the Superintendent before March 1 in each year a financial statement for the year ending December 31, immediately preceding, on forms furnished by the Superintendent. Such statement shall be verified by the oaths of the president and secretary of the company, or, in their absence, by two other principal The statement of an alien company shall embrace only its condition and transactions in the United States and shall be verified by the oath of its resident manager or principal representative in the United States. In case a company shall fail to make and file its annual statement within the time herein prescribed its authority to transact business in the District shall thereupon terminate.

Sec. 9. Penalty for false statement.—A director, officer, agent, or employee of any company who willfully and knowingly subscribes, makes, or concurs in making or publishing any annual or other statement required by law, containing any material statement which is false, shall, upon conviction thereof, be punished by imprisonment in the penitentiary for not less than two nor more than ten years. A person who willfully and knowingly makes oath to any such false statement shall be guilty of perjury.

Sec. 10. Deceptive statements prohibited.—No company doing business in the District or agent thereof shall state or represent by advertisement in any newspaper, periodical, or magazine, or by any sign, circular, card, policy of insurance, or certificate of renewal thereof or otherwise that any funds or assets are in possession of such company which are not actually possessed by it and available for the payment of losses and claims and held for the protection of its policyholders and creditors.

Sec. 11. Contents of advertisements.—Every advertisement or public announcement and every sign, circular, or card issued by any domestic, foreign, or alien company doing business in the District representing its financial standing shall exhibit the amount of the capital stock actually paid up in cash, the assets owned, the liabilities, including therein the premium and loss reserves required by law, and the amount of surplus, and shall correspond to the next preceding verified statement made to the Superintendent by such company. Every advertisement or public announcement and every sign, circular, or card issued by an alien company doing business in the District, representing its financial standing shall exhibit as capital stock and assets only the capital stock and assets held by its United States branch, the liabilities, including therein the premium and loss reserves required by law, and the amount of surplus, and shall correspond to the next preceding verified statement made by such company to the Superintendent.

Any violation of this or the preceding section shall be a misde- renalty for violations. meanor, and any person convicted of such violation shall, for the first offense, be liable to a fine of not more than \$500, and for each subsequent offense shall be liable to a fine of not more than \$1,000.

Sec. 12. Defamation of companies.—It shall be unlawful for any company now or hereafter doing business in the District, or any officer, director, clerk, employee, general agent, agent, or solicitor thereof, broker or any other person, to make, verbally or otherwise, publish, print, distribute, or circulate, or cause the same to be done, or in any way to aid, abet, or encourage the making, printing, publishing, distributing, or circulating of, any pamphlet, circular, article, literature, or statement of any kind which is defamatory of any company now or hereafter doing business in the District, or which contains any false criticism or false statement calculated to injure such company in its reputation or business; and any officer, director, clerk, employee, general agent, agent, or solicitor of any company, broker or any other person, violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$100.

Sec. 13. Penalty for refusing to appear and testify in examina-TIONS.—That in the examination of any company as provided for nesses, etc., at. in this Act the Superintendent shall have power to issue subpenas in the name of the Chief Instice of the Superintendent. in the name of the Chief Justice of the Supreme Court of the District of Columbia to compel witnesses to appear and testify and/or to produce all books, records, papers, or documents before said

Superintendent.

That if any witness having been personally summoned shall neglect or refuse to obey the subpena issued as herein provided, then and in that event the Superintendent may report that fact to the Supreme Court of the District of Columbia, or one of the justices thereof, and said court, or any justice thereof, hereby is empowered to compel obedience to said subpena to the same extent as witnesses may be compelled to obey the subpenas of that court.

SEC. 14. COURT PROCEEDINGS.—The Superintendent may, through Enforcement of the corporation counsel of the District, invoke the aid of any court orders of Superintendent. of competent jurisdiction to enforce any order made or action taken

by him in pursuance of law.

Sec. 15. False statements in application for insurance.—The surance. Sits of a statement in the application for any policy of insurance Effect of false statement. falsity of a statement in the application for any policy of insurance ment in shall not bar the right to recovery thereunder unless such false statement was made with intent to deceive or unless it materially affected either the acceptance of the risk or the hazard assumed by the

company

Sec. 16. General deposit.—Every company desiring to transact business in the District shall, before being licensed, deposit approved fore being licensed. securities of not less than \$100,000 market value with the Superintendent or the supervising official of any State, Territory, or insular possession of the United States authorized to accept such deposit, That the deposit of every domestic company heretofore organized heretofore organized.

Provided, Proviso. Domestic companies, heretofore organized. Congress may be limited (1) for stock companies, to an amount equal to the capital stock outstanding at the date of approval of this Act; (2) for nonstock companies, to such amount as in the

Defamation of com-

Penalty.

Examinations.

opinion of the Superintendent would be required from stock companies of comparable size. In no case shall the deposit of a domestic company be less than \$25,000.

Certificate of deposit;

Holding of general

Delivery of securities.

Responsibility safekeeping.

Substitution of securities.

Requirement of additional deposit.

General deposit.

Withdrawal, upon discontinuance of busi-

Publication of inten-

Delivery of securities.

Conditioned upon obts and liabilities debts and being secured.

Bond to cover undis-closed liabilities.

Delivery of deposited securities, company be-ing reinsured. Conditions.

If such deposit is made with an official other than the Superintendent a certificate of deposit from said official shall be filed with the Superintendent showing the character of the deposit before a Additional deposits. license may be issued. If the securities so deposited are not of the class authorized by this Act for investments of companies, the Superintendent may require an additional deposit in approved securities

Sec. 17. Holding of general deposits by District Auditor and SECRETARY TO BOARD OF COMMISSIONERS.—When any company is required by the laws of the District, or of any State or county, or by other competent authority, to make a deposit with an insurance supervising official, or other financial officer, and where said deposit is made by the company in bonds or other evidence of indebtedness of the United States, or of any State of the United States, or of any county or incorporated city of any State of the United States, the said securities shall be delivered to the Secretary to the Board of Commissioners of the District of Columbia, and the Auditor of the District of Columbia, who shall receive and hold the same, subject to the lawful orders of the Superintendent of Insurance, and who shall be responsible for the safekeeping of all securities deposited or delivered under the authority of this section, so long as the company continues solvent and complies with the laws of the United States and of the District of Columbia, and it may in that event collect the income on such securities. The company shall have the right to substitute therefor other securities, required by this section as lawful investment, provided such substitute securities are of the character, amount, and value called for by this section and are approved by the Superintendent of Insurance. If the value of the securities deposited by any company shall decline below the amounts so required, the company shall make a further deposit and maintain the deposit in the amount and value so required.

Sec. 18. Withdrawal of general deposits.—When a company determines to discontinue its business or to cease to do business in the District and desires to withdraw its deposit made in the District pursuant to this Act the Superintendent shall, upon the application of the company, and at its expense, give notice of such intention in a newspaper of general circulation in the District once a week for three consecutive weeks. After such publication he shall deliver to such company or its assigns the securities so deposited when he is satisfied upon examination and investigation made by him or under his authority and upon the oaths of the president and secretary or other chief officers of the company that all debts and liabilities of every kind due and to become due which the deposit was made to secure are paid and extinguished: Provided, That the Superintendent may require any company so withdrawing from the District to furnish bond to cover any undisclosed or contingent liabilities.

Upon a company being wholly reinsured the Superintendent may deliver to it or to its assigns all securities deposited by it upon compliance with the following condition: The reinsuring company shall assume and agree to discharge all liabilities of every kind due and to become due which the deposit of the reinsured company was made Such reinsuring company shall have a deposit in the to secure. District or with some State official in the United States in securities recognized by this law as lawful investments of the company in an amount and value not less than the deposit required of the reinsured company. The deposit of the reinsuring company shall be such that it will subsist for the security of the obligations of the reinsured company assumed by the reinsuring company. The Superintendent shall give notice of such reinsurance agreement and of the application for the deposit once a week for three consecutive weeks in a newspaper of general circulation in the District before the delivery

of such securities to the reinsuring company.

Sec. 19. Examinations.—The Superintendent may examine the books, papers, property, and the affairs of any insurance company Authority of Superorganized or doing business in the District and of any company engaged in or professing to be engaged in organizing, promoting, or soliciting stock or capital contributions to or aiding in the formation of an insurance company or of any company which holds the capital stock of an insurance company for the purpose of controlling the management thereof as voting trustees or otherwise. The Superintendent, his deputy, or any examiner may examine under oath the officers and agents of such company and all persons deemed to have material information regarding the company's property or business. Every such company, its officers and agents, shall produce at the home office of the company at the time designated by the Superintendent, its books of original entry and all records and papers in its or their possession relating to its business or affairs, and any other person may be required to produce any book, record, or paper in his custody relevant to the examination, for the inspection of the Superintendent, his deputy, or examiners, whenever required; and the officers and agents of such company shall facilitate such examination and aid the examiners in making the same so far as it is in their power to do so. Every such examiner shall make a full and true report of every examination made by him, verified by his oath, which shall comprise only facts appearing upon the books, papers, records, or documents of such company, or ascertained from the sworn testimony of its officers or agents or other persons examined under oath concerning its affairs, and said report so verified shall be presumptive evidence in any action or proceeding in the name of the District against the company, its officers or agents, of the facts therein stated. The Superintendent shall grant a hearing to the company examined, or he shall furnish it a copy of his report, in tentative form, requesting that the statements and items therein contained be checked, and the report be returned to the Superintendent within the time specified by him, before filing any such report and before making public such report or any matters relating thereto; and may withhold any such report from public inspection for such time as he may deem proper; and may, after so filing, if he deems it for the interest of the public to do so, publish any such report or the result of any such examination as contained therein in one or more newspapers in the District without expense to the company. It shall be the duty of the Superintendent to examine every domestic insurance company at least once in three

The expense of every such examination, not to include salaries, shall be paid by the company examined, and such company shall pay to the Superintendent, his deputies, and/or his examiners the actual expense of such examination upon itemized bills furnished

by the superintendent.

SEC. 20. RECEIVERSHIP PROCEEDINGS.—The Superintendent may, the comporation counsel of the District representing him, apply to the Supereme Court of the District for a rule directing any company superintendent may, the receivership proceedings.

Application for rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may, the construction of the District for a rule directing any company superintendent may are constructed in the District for a rule directing any company superintendent may are constructed in the District for a rule directing any company superintendent may are constructed in the District for a rule directing any company superintendent may are constructed in the District for a rule directing any company superintendent may are constructed in the District for a rule directing any company superintendent may are constructed in the District for a rule directing any company superintendent may are constructed in the District for a rule directing and the District for a rule directing any company superintendent may are constructed in the District for a rule directing and the District for a rule direction for the District for a rule di doing business in the District, any company organized under the etc. laws of the District or other Acts of Congress, or any company in course of organization, to show cause why the Superintendent should

Notice of reinsurance agreement.

Examinations.

Books of original entry, records, etc. Inspection of.

Examiner's report.

Verification.

Force as evidence

Checking of report.

Publication.

Requirement of examination.

Payment of expenses.

not take possession of its property and conduct its business and for such other relief as the nature of the case and the interests of its policyholders, creditors, stockholders, or the public may require, whenever any such company (a) is insolvent; or (b) in the case of a stock company, has neglected or refused to observe a lawful order of the Superintendent to make good within the time prescribed by law any deficiency of its capital or surplus, or in the case of a mutual company, if its assets have not become equal to its liabilities within ninety days from the date of notification thereof by the Superintendent; or (c) has by contract or reinsurance, or otherwise transferred or attempted to transfer substantially its entire property or business, or entered into any transaction the effect of which is to merge substantially its entire property or business, in the property or business of any other company, association, society, or order, without having first obtained the written approval of the Superintendent; or (d) is found, after an examination by the Superintendent, his deputy or examiners, to be in such condition that its further transaction of business will be hazardous to its policyholders; or (e) has willfully violated its charter; or (f) is carrying on activities against public policy.

Injunction, issue of.

Hearings.

Power of Superintendent when liquidation ordered.

Notice, on recording order.

Appointment of agents.

Other personnel.

Compensation.

On such application, or any time thereafter, such court may, in its discretion, issue an injunction restraining such company from the transaction of its business or disposition of its property pending further order of the court. On the return of such rule to show cause, the court shall hear, try, and determine the issues forthwith and shall either deny the application or direct the Superintendent to take possession of the property and conduct the business of such company, and retain such possession and conduct such business until on the application either of the Superintendent, the corporation counsel representing him, or of the company, it shall, after a like hearing, appear to the court that the ground for the order directing the Superintendent to take possession has been removed and that the company can properly resume possession of its property and the conduct of its business.

If, on the like application and rule to show cause, and after a hearing, the court shall order the liquidation of the business of such company, such liquidation shall be made by and under the direction of the Superintendent, who may deal with the property and business of such company in his own name as Superintendent or in the name of the company, as the court may direct, and shall be vested by operation of law with title to all of the property, contracts, and rights of action of such company as of the date of the order so directing him to liquidate. The filing or recording of such order in the office of the recorder of deeds for the District shall impart the same notice that a deed, bill of sale, or other evidence of title duly filed or recorded by such company would have imparted,

For the purpose of this section the Superintendent shall have power to appoint under his hand and official seal one or more special deputy superintendents of insurance as his agent or agents, and to employ clerks and assistants as may by him be deemed necessary, and give each of such persons such powers to assist him as he may consider wise. The fair and reasonable compensation of such special deputy superintendents, clerks, and assistants and all expenses of taking possession of and conducting the business of liquidating any such company shall be recommended by the Superintendent, subject to the approval of the court, and shall on certificate of the Superintendent be paid out of the funds or assets of such company.

For the purpose of this section the Superintendent shall have tions. power, subject to the approval of the court, to make and prescribe

such rules and regulations as to him shall seem proper.

The Superintendent shall transmit to the Commissioners, in his annual report, the names of the companies so taken possession of, Names of liquidated whether the same have resumed business or have been liquidated, included. and such other facts as shall acquaint the policyholders, creditors, stockholders, and the public with his proceedings under this section; and, to that end, the special deputy superintendent in charge of any such company shall file annually with the Superintendent a report of the affairs of such company similar to that required by section 8 of this chapter. The court may require corporate surety bond from the Superintendent or any assistant appointed by him, in such amount as it may deem necessary, the cost of which bond shall be paid as other expenses provided under this section.

SEC. 21. WHEN COMPANY TO BE DEEMED INSOLVENT.—Every insur- When company to be deemed insolvent. ance company whose assets and credits are not sufficient to reinsure its outstanding risks in a solvent insurance company, shall be deemed insolvent and may be proceeded against as an insolvent company.

SEC. 22. REINSURANCE BY SUPERINTENDENT.—The Superintendent may reinsure all of the policy obligations of any domestic insurance company, of which he is a receiver, in any solvent company authorized to do business in the District, if the assets of the company are sufficient to effect such reinsurance. If such assets are insufficient for that purpose, the Superintendent, upon like consent, may reinsure a percentage of each outstanding policy obligation of such company to the extent that its assets may be sufficient for that purpose. No contract of reinsurance shall be entered into by the Superintendent, except in pursuance of an order of the court in which he was quired. Order of court reappointed receiver directing the reinsurance and establishing the

general form of the contract for the same.

Sec. 23. Amortization.—All bonds or other evidences of debt having a fixed term and rate held by any company authorized to do principal or interest, shall be valued as follows: If purchased at etc. par, at the par value; if purchased above or below par, on the basis of the purchase price edinsted so as to bring the of the purchase price adjusted so as to bring the value to par at maturity and so as to yield meantime the effective rate of interest at which the purchase was made: Provided, That the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase: Provided further, That the Superintendent shall have full discretion in determining the method of calculating values according to the foregoing rule, and the values found by him in accordance with such method shall be final and binding: And provided further, That any such company may return such bonds or other evidences of debt at their market value or their book value, but in no event at an aggregate value exceeding the aggregate of the values calculated according to the foregoing rule.

SEC. 24. ATTORNEY FOR SERVICE OF PROCESS.—Every domestic com- Attorney for service of process. pany not having its home office in the District and every foreign or alien company now or hereafter transacting business in the District, and every foreign or alien company now or hereafter soliciting, selling, or writing insurance on any resident of the District, through tendent a duly executed instrument appointing and constituting him companies. and his successors the true and lawful attorney of such company upon whom all lawful process in any action or legal proceeding against it may be served and therein shall agree that any lawful nized service. Agreement to recogprocess against it which may be served upon its said attorney, as

Rules and regula-

Annual report.

Names of liquidated

Ante, p. 1132.

Reinsurance by Su-

Amortization.

Provisios.Purchase price.

Calculation of values.

Return of bonds authorized.

1138

herein provided, shall be of the same force and validity as if served upon the company and the authority thereof shall continue in force irrevocably so long as any liability of the company in the District Manner of making shall remain outstanding. Such process shall be served by leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the principal. The Superintendent shall forthwith forward such process by mail to the company, or, in the case of an alien company, to the resident manager or last appointed general agent of the company in the The deposit, by the Superintendent or his deputy, United States. of such process sent by registered mail in a sealed envelop, postage prepaid, in the United States mail and service of such process, shall not be effectual until the same has been so mailed and received by the company and registered receipt shall be prima facie evidence of the notice of service to a company, or to the resident manager in the case of an alien company.

Failure of company to file instrument desig-nating attorney for nating service.

Penalty provision.

Failure of any such company to file such instrument, or failure on the part of any such company to authorize such filing, shall not invalidate any service made by serving the Superintendent. By accepting a certificate of authority to transact business in the District, every such company shall be held to have appointed the Superintendent its true and lawful attorney. Any such insurance company transacting business or soliciting, selling, or writing insurance on any resident of the District without designating an attorney for service of process, incident to adjustment of claims and kindred matters, shall, upon complaint filed by the Superintendent in the Supreme Court of the District, be fined, upon conviction of violating any provision of this section, not to exceed \$200 a day for such violation. Sec. 25. Political contributions prohibited.—No company doing

Political contributions prohibited.

business in the District shall directly or indirectly pay or use, or offer, consent, or agree to pay or use any money or property for or in aid of any political party, committee, or organization, or

Penalty provision.

for or in aid of any corporation, joint-stock or other association organized or maintained for political purposes, or for or in aid of any candidate for political office or for nomination for such office, or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used. Any officer, director, stockholder, attorney, or agent of any company which violates any of the provisions of this section, who participates in saids above any order of the stockholder. pates in, aids, abets, or advises, or consents to any such violation, and any person who solicits or knowingly receives any money or property in violation of this section shall be guilty of a misdemeanor and be punished by imprisonment for not more than one year and a fine of not more than \$1,000, and any officer aiding or abetting in any contribution made in violation of this section shall

Production of books, records, etc.

be liable to the company for the amount so contributed. That no person shall be excused from testifying or from producing books, accounts, and papers in any proceeding based upon or growing out of any violation of the provisions of this section, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may have testified or produced any documentary evidence: *Provided*, That no person so testifying shall be exempted from prosecution or punishment for perjury: *Provided further*, That the immunity hereby conferred shall extend only to a natural person

who, in obedience to a subpena gives testimony under oath or produces evidence, documentary or otherwise, under oath.

SEC. 26. GENERAL AGENT'S, AGENT'S, AND SOLICITOR'S QUALIFICA-TIONS AND LICENSES.—No person shall act within the District for censes. any life-insurance company as a general agent, agent, or solicitor in and solicitor. the solicitation or programment of and solicitor. the solicitation or procurement of applications for insurance unless he has complied with the provisions of this section and has secured a license from the Superintendent of Insurance. Each applicant for such license shall file with the Superintendent of Insurance his written application therefor on blanks furnished by the Superintendent, which application shall be signed and sworn to by the applicant and shall give his name, age, residence, place of business, and occupation for five years next prior to the date of application and also set forth his qualifications for such license, namely, his familiarity with the life-insurance laws of the District and with the provisions of the contracts to be negotiated; what insurance experience he has had, if any; what insurance instruction he has had or expects to receive; whether he has been refused or has had suspended or revoked a license to solicit insurance by the insurance department or supervising officials of the District of Columbia or of any State; whether any insurance company or any general agent claims such applicant is indebted under any agency contract or otherwise, and if so, the name of the claimant, the nature of the claim and the applicant's defense thereto, if any; whether he has had an agency contract canceled, and if so, when, by what company, or general agent and the reason for such action, and such other information as the Super-intendent may require. The applicant shall be vouched for by an official or a licensed representative of the company for which he proposes to act, who shall certify whether the applicant is personally known to him, whether the applicant has been appointed a general agent, agent, or solicitor to represent such company, and that such company has duly investigated the character and record of such person, and has satisfied itself that he is trustworthy and qualified to act as its general agent, agent, or solicitor and intends to hold himself out in good faith as a life insurance general agent, agent, or solicitor. It, upon the showing made, the Superintendent of Insurance is reasonably satisfied that the applicant is a trustworthy person he shall promptly issue the license applied for. A general Placing of rejected agent, agent, or solicitor licensed to represent any life-insurance pany. company doing business in the District shall be entitled to place excess or rejected risks in any other company lawfully doing business in the District, with the knowledge and approval of his own company without additional or separate license. Every license issued under this section shall expire annually on the 30th day of April next after its issue unless prior thereto it is revoked or suspended by the Superintendent of Insurance or the authority of the general agent, agent, or solicitor to act for the company is terminated.

In the absence of a contrary ruling by the Superintendent in a given case, license renewals shall be issued from year to year upon the request of the company without further action on the part of the general agent, agent, or solicitor.

No officer or traveling salaried employee of any insurance company not compensated on a commission basis shall be required to obtain a license under this section.

Every life-insurance company shall, upon the termination of the employment of any general agent, agent, or solicitor, file with the Superintendent of Insurance a statement of the facts relative to the

Qualifications and li-

Application for li-cense.

Contents.

Issue of license.

Term of license.

Renewals.

termination of such employment and the cause thereof. Any information, document, record, statement, or thing required to be made or disclosed to the Superintendent of Insurance by this section, shall be privileged and shall not be used as evidence in any action or proceeding instituted against the company or any representative thereof by or in behalf of any person who has been licensed under the provisions of this section.

License, suspension or revocation.
Grounds for.

Notice and bearing.

Sec. 27. Suspension or revocation of License—Grounds for—Notice of—Hearing.—The Superintendent of Insurance may suspend or revoke the license of any life insurance general agent, agent, solicitor, or broker if, after due investigation, notice and a hearing, either before him or before any salaried employee of the insurance department designated by him whose report he may adopt, he determines that such license has been secured by fraud or misrepresentation; or that the general agent, agent, solicitor, or broker has violated any insurance law of the District; or has made any misleading representations and/or incomplete and/or fraudulent comparison of any policies or companies or concerning any companies to any person for the purpose or with the intention of inducing such person to lapse, forfeit, surrender, or exchange his insurance then in force; or has made any misleading estimate of the dividends or share of surplus to be received on a policy; or has failed or refused to pay or to deliver to the company or to his principal any money or other property in the hands of said general agent, agent, solicitor, or broker belonging to such company or principal when requested so to do; or has violated any lawful ruling of the insurance department; or has been convicted of a felony; or has otherwise shown himself untrustworthy or incompetent to act as a life insurance general agent, agent, solicitor, or broker. Before the Superintendent of Insurance shall revoke or suspend any such license he shall give to the general agent, agent, solicitor, or broker and to the company which or whom he represents written notice of the charges and of the hearing, not less than twenty days prior to the time set for such hearing. Such notice shall be forwarded by registered mail addressed to the general agent, agent, solicitor, or broker at his last known address, and to the company at its principal place of business. Full opportunity shall be given at such hearing to the general agent, agent, solicitor, or broker and to the company or principal to appear with counsel and be heard upon such charges. Within thirty days after the revocation or suspension of license or the refusal of the Superintendent to grant a license, the general agent, agent, solicitor, or broker, or applicant aggrieved may appeal, from the ruling of the Superintendent of Insurance to the court of competent jurisdiction designated in section 28. Appeals may be taken from the judgment

Notice of charges and hearing to be given.

Mailing.

Appeals.

Denial of new license for period of year.

Penalty provisions.

Appeals.

Proceedings

of said court as prescribed in section 28.

No individual whose license as a general agent, agent, solicitor, or broker is revoked shall be entitled to any license under this Act for a period of one year after revocation.

Any person who violates any provision of this section upon conviction shall be fined not exceeding \$100 for each and every violation.

SEC. 28. APPEAL FROM RULINGS.—Within thirty days after the revocation or suspension of license or the refusal of the Superintendent to grant a license, the general agent, agent, solicitor, or broker or applicant aggrieved may appeal from the ruling of the Superintendent to the Supreme Court of the District of Columbia, in equity, wherein, upon the relation of the Superintendent, by representation of the corporation counsel, the Superintendent shall be designated as defendant and the general agent, agent, solicitor, or

broker or applicant as plaintiff, and the said cause shall be docketed in said court and tried as an equity case. Appeals may be taken Appeals to Court of from the judgment of said Supreme Court of the District of Columbia to the Court of Appeals of the District of Columbia as in other

In all said proceedings and appeals said Superintendent shall not be taxed with any costs, nor shall he be required to give any supersedeas bond or security for costs or damages on any appeal whatsoever. Said Superintendent shall not be liable to suit or action or for any judgment or decree for any damages, loss, or injury claimed by any person on any appeal taken by said Superintendent in any case, nor shall said Superintendent be required in any case to make and deposit for costs or pay for any service to the clerks of any court or to any marshal of the United States.

the District as a life-insurance broker shall apply to the Superintend-cense.

Brokers.

Application for li-

ent for a license so to do and in the manner hereinafter prescribed.

The applicant for such license shall file with the Superintendent his written application therefor and shall make a sworn statement on blanks to be prepared by the Superintendent giving his name, age, residence, place of business, occupation for five years just prior to the date of making his application; and shall state that he intends to hold himself out in good faith as carrying on the business of broker of life insurance, and shall also set out his qualifications, namely, his familiarity with the life-insurance laws of the District and with the provisions of the policy contracts to be negotiated; what insurance experience and instruction he has had; his intention with reference to engaging regularly if not exclusively in the business of life-insurance broker; whether he has been refused or has had suspended or revoked a license as a broker, general agent, agent, or solicitor of life insurance by the Insurance Department or the supervising officials of any State; whether any company claims that he is indebted to it under any agency contract or otherwise; if so, what company, the nature of the claim and of his defense if any, whether he has had any agency contract canceled by any company, and if so, when, by what company, and the reason for such action, and such other information as the Superintendent may require.

The applicant shall be vouched for by at least three reputable citizens of the District setting out whether the applicant is personally known to them, what they know of the reputation of the applicant as a man of business integrity, and what they know of the appli-

cant's general fitness to act as a broker of life insurance.

The Superintendent may require such applicant for license or renewal thereof to submit to examination as to his fitness or qualifications for the license or licenses applied for. Such examination may be made by the Superintendent or by his deputy, which said examination may be waived by the Superintendent, upon satisfactory proof of the qualifications of the applicant.

When the Superintendent is satisfied from the application or the examination made by him that the applicant is qualified, he shall issue to said applicant a license to engage in the business specified in said

applications which shall also be specified in said license.

No individual whose license as a broker is revoked shall be entitled on revocation. to any license under this Act for a period of one year after such revocation, provided, however, that the failure or refusal of the Superintendent to license any such applicant shall be subject to review in the same manner as provided in section 28 of this chapter.

Licenses shall be renewed annually and every such license shall continue in force until the 30th day of April next following unless in

Costs and bonds.

Contents.

Examination.

Issue of license.

Renewals.

the meantime suspended or revoked; provided any qualified person may be licensed as a broker regardless of place of residence or domicile.

Any person who violates any provision of this section upon convic-

Penalty provision.

Embezzlement; penalty. tion shall be fined not exceeding \$100 for each and every violation.

Sec. 30. Embezzlement; penalty.—An insurance agent, solicitor, or broker who acts in negotiating or renewing or continuing a contract of insurance for a company lawfully doing business in the District, and who receives any money or substitute for money as a premium for such a contract from the insured, whether he shall be entitled to an interest in same or otherwise, shall be deemed to hold such premium in trust for the company making the contract. If he fails to pay the same over to the company after written demand made upon him therefor, such failure shall be prima facie evidence that he has used or applied the said premium for a purpose other than paying the same over to the company, and upon conviction thereof he shall be deemed guilty of embezzlement and punished accordingly.

Minors, contracts for life, health, and accident insurance.

SEC. 31. CONTRACT OF MINORS FOR LIFE, HEALTH, AND ACCIDENT INSURANCE.—Any minor of the age of fifteen years or more may, notwithstanding such minority, contract for life, health, and accident insurance on his own life for his or her own benefit or for the benefit of his father, mother, husband, wife, child, brother, sister, or for the benefit of any person who has the care or custody of said minor or with whom said minor makes his or her home, and may exercise all such contractual rights with respect to any such contract of insurance as might be exercised by a person of full legal age and may at any time surrender his or her interest in any such insurance or give a valid discharge for any benefit accruing or money payable thereunder.

Assessment companies; licensing denied. SEC. 32. ASSESSMENT COMPANIES.—Any company which makes insurance or reinsurance the performance of which is not guaranteed by the reserves required by this Act, but is mainly contingent upon the payment of assessments or calls made upon its members, shall not be formed, admitted, or licensed in the District.

Appeal from Superintendent to Commissioners.

Sec. 33. Appeal from Superintendent to Commissioners.—Any appeals to the Commissioners from rulings of the Superintendent shall be perfected and filed with the Commissioners within twenty days exclusive of Sundays and legal holidays from the date such rulings are communicated to the party at interest.

Domestic companies.

CHAPTER III—DOMESTIC COMPANIES

Sec. 1. Articles of incorporation.

Sec. 2. Publication of articles of incorporation; notice of intention to form company; bond of incorporators.

Sec. 3. Approval of articles of incorporation; completion of organization of company.

Sec. 4. Authority to solicit subscriptions to capital of company in course of organization.

Sec. 5. Subscription to capital stock; limitation of expense on sale of capital stock.

Sec. 6. Examination of company in course of organization.

Sec. 7. When corporate powers of company in course of organization shall cease.

Sec. 8. Capital stock requirements.

Sec. 9. Amendment of articles of incorporation.

Sec. 10. Increase of capital stock.

Sec. 11. Decrease in capital stock.

Sec. 12. Liability of stockholders.

- Sec. 13. Stock payment calls.
- Sec. 14. Stock transfers.
- Sec. 15. Capital stock book.
- Sec. 16. Corporations and associations as members of mutual companies.
- Sec. 17. Mutual companies; when to commence business.
- Sec. 18. Reorganization of existing corporations.
- Sec. 19. Conversion of a stock life company into a mutual life company.
- Sec. 20. Corporations heretofore formed.
- Sec. 21. Directors.
- Sec. 22. Bylaws.
- Sec. 23. Election of directors.
- Sec. 24. Cumulative voting.
- Sec. 25. Voting power under policies of group life insurance.
- Sec. 26. Liability of directors.
- Sec. 27. Salaries to be authorized by directors.
- Sec. 28. Limitation of dividends to stockholders and policyholders.
- Sec. 29. Officers.
- Sec. 30. Officers and directors not to be pecuniarily interested in transactions.
- Sec. 31. Voting trusts prohibited.
- Sec. 32. Maximum and contingent premiums of mutual companies.
- Sec. 33. Classification of risks by mutual companies.
- Sec, 34. Mutual company guaranty fund; mutual company power to borrow.
- Sec. 35. Investment of funds of domestic companies.
- Sec. 36. Domestic company real estate holdings.
- Sec. 37. Reinsurance by domestic companies in authorized companies.
- Sec. 38. Vouchers for disbursements.
- Sec. 39. Books, records, accounts, and vouchers of domestic companies.
- Sec. 40. Capital stock acquisition by company of its own shares.

SECTION 1. ARTICLES OF INCORPORATION.—Any seven or more persons who desire to become incorporated as an insurance company shall make, sign, and acknowledge articles of incorporation before an officer authorized to take acknowledgment of deeds, in which shall be stated:

(a) The proposed corporate name, which shall not be identical with nor so nearly resemble the name of an existing corporation organized under the laws of the District, or authorized to transact business therein, as to mislead the public or cause confusion and, in case of a mutual company, shall contain the word "mutual."

shall be members or policyholders of the corporation.

have the same voting power as every other policyholder.

(b) The term of its existence, which may be perpetual.
(c) The place where its principal office shall be located, which shall be the District of Columbia.

(d) The purpose of the company, which shall be restricted to the

business of insurance appertaining to persons. (e) The mode and manner in which the corporate power shall be corporate power. Mode of exercising exercised; the number, terms of office, and manner of electing directors, who shall be stockholders, or, in the case of a mutual company,

(f) The provisions for meeting and votes of stockholders and stockholders; provision respecting. policyholders. A stock company in which the policyholders do not vote shall provide for cumulative voting in its articles of incorporation. A stock company in which policyholders vote shall provide that each stockholder shall have one vote, in person or by proxy, for each share of stock owned. A company without capital stock shall provide that every policyholder shall be a member and entitled to one or more votes, in person, or by proxy, based on the insurance in force, the number of policies held or the amount of premiums paid as may be provided in the bylaws, and a stock company may provide for votes by policyholders, but in such case each policyholder shall

Contents. Corporate name.

Term of existence Principal office

Purpose.

Capital stock, amount, shares, par value.

Number of directors.

Other particulars.

Publication of articles.

Copy filed with Superintendent.

Filing of bond.

Sureties.

Examination and approval of articles.

Powers of corporation thereafter.

Issue of permit; "company in course of organization."

Authority of com- ization "pany.

Issue of policies denied.

Certificate of authority as insurance company to issue upon completion of organization.

(g) The amount of its capital stock, if any, the number of shares, and the par value of each share.

(h) The number of directors who shall manage the company for

the first year and their names.

(i) Such other particulars as may be necessary to manifest and

Sec. 2. Publication of articles of incorporation; notice of

explain the objects and purposes of the company.

INTENTION TO FORM COMPANY; BOND OF INCORPORATORS.—The incorporators shall file such articles with the Superintendent and shall publish in a newspaper of general circulation in the District notice of the filing of such articles and of the intention to form such company. Copy of such notice verified by the oath of the publisher of the newspaper, or his agent, copies of proposed bylaws and forms of subscription for capital stock and of proposed applications for membership and for insurance and of all proposed forms of insurance policies, literature, and advertisements shall be filed with the The incorporators shall also file with the Super-Superintendent. intendent a bond payable to the Superintendent and his successors, as trustee, in the sum of \$10,000 with approved corporate sureties, and conditioned upon the faithful accounting to the proposed company, on completion of its organization and the receipt of its certificate of authority from the Superintendent, or the stockholders, members, applicants for policies, and creditors, or the trustee, receiver, or assignee of the proposed company, duly appointed in any proceedings in any court or department of competent jurisdictive to the proposed competent in the competent in t tion in the District, in accordance with their respective rights in case the organization of the proposed company shall not be completed and a certificate of authority shall not be procured from the Superintendent.

Sec. 3. Approval of articles of incorporation; completion of ORGANIZATION OF COMPANY.—The Superintendent shall submit the proposed articles and other papers so filed with him to the corporation counsel of the District, who shall examine the same, and, if he finds the same in accordance with law, he shall so certify and return the same to the Superintendent, who shall cause the articles and the certificate of the corporation counsel to be recorded in the records of the Superintendent and issue to the incorporators two certified copies thereof, one of which shall be recorded in the office of the recorder of deeds for the District of Columbia, and thereupon such incorporators and their associates shall become and be a body corporate with power to sue and be sued, contract and be contracted with, adopt a seal, and do such other acts, subject to the provisions of this Act, as shall be needful to accomplish the purposes of its organization. If the Superintendent shall approve the sureties on the bond so filed, or on any like bond substituted therefor, he shall issue to the corporation a permit, as a "company in course of organization", authorizing it to complete its organization. Said company in course of organization shall have authority under such permit to solicit subscriptions and payments for capital stock, if a stock company, and applications and advance premiums for insurance, and to exercise such powers, subject to the limitations in this Act prescribed, as may be necessary and proper in completing its organization and qualifying itself for a certificate of authority from the Superintendent to transact the business of insurance appertaining to persons. But such company shall not issue policies or enter into contracts of insurance until it shall have received the

certificate of the Superintendent authorizing it so to do.

Upon completion of organization in accordance with this Act
the Superintendent shall issue to such company, in course of organization, a certificate of authority as an insurance company.

SEC. 4. AUTHORITY TO SOLICIT SUBSCRIPTIONS TO CAPITAL OF COM- Certificate to solicit subscriptions to capital PANY IN COURSE OF ORGANIZATION.—No person shall solicit subscrip- of company in course of tions for the capital stock of or applications for insurance in any such company in course of organization unless he has been duly authorized by the company and a certificate of his authority, duly signed by a principal officer of the company, has been filed with and

approved by the Superintendent.

SALE OF CAPITAL STOCK.—Every subscription to the capital stock of tal stock. a stock company shall contain the stipulation that no sum shall be used for commission, promotion, or organization expenses in excess on sale of capital stock. of a percentage of the amount paid upon the stock subscriptions, to be named in such stipulation and approved by the Superintendent, and the remainder of sums so paid to the company shall be invested in securities in which a life-insurance company is authorized to invest, or deposited in a bank or trust company in the District until the company has duly procured a certificate of authority from the

Superintendent.

Sec. 6. Examination of company in course of organization. The Superintendent shall personally or through his deputy and assistants, examine into the affairs of any such company in course of organization and inspect its books and papers, and may summon and examine under oath any officer or agent or any person who is or has been connected with or who has knowledge of the affairs of such company, and if he find the company is violating the law, or if the company shall not be qualified for a certificate of authority within two years from date of its permit, he shall revoke its permit; and if he find an agent of such company has violated the law, he shall revoke his authority, and he may for such agent's violation revoke the company's permit. Any revocation shall be after twenty days' notice. The Superintendent may, on proper showing, reinstate any company's permit or agent's authority which he has revoked.

ZATION SHALL CEASE.—If any domestic life-insurance company, in organization, shall not commence to issue policies. course of organization, shall not commence to issue policies within cies not issued within two years from the date of filing its articles of incorporation in the two years from date of filing its articles of incorporation in the filing articles. office of the Superintendent, its powers shall thereby cease, and the court, upon petition of the Superintendent or of any person interested, may fix by decree the time in which the Superintendent may settle and close its affairs: Provided, however, That the Superintendent may extend the time for any such company to commence ized. the issuance of policies for a period not exceeding two years if the said company shall show good cause in writing why the same should

be done.

SEC. 8. CAPITAL-STOCK REQUIREMENTS.—A domestic capital-stock Capital stock requirements. company organized under this Act shall have a paid-up capital stock of not less than \$100,000. Each domestic capital-stock company organized under this Act, in addition to the paid-up capital stock shall have a surplus paid up equal to at least 50 per centum of such

capital stock.

SEC. 9. AMENDMENT OF ARTICLES OF INCORPORATION.—Any company articles of incorporation upon publishing notice of tion, amendment.

Publication of insuch intention, authorized by a majority of its directors, once a week tention for three consecutive weeks in a newspaper of general circulation in the District, and with the written consent of two thirds of its stockholders, or two thirds of its members present in person or by proxy at a meeting called for that purpose if it does not have capital stock, and by observing such other and further requirements in that behalf as may be prescribed in its articles of incorporation. Such

Limitation of expense

Company in course of organization.

Examination of.

Revocation of permit.

Agent's authority.

Notice required.

Closing affairs of.

Extension author-

Effective date.

Capital stock.

Paid up requirement.

Decrease of.

Issue of new certifi- said.

Stockholders.

Liability of.

Liability of estates and funds.

Representation.

Liability of pledgee

Filing with Superin amendment shall be signed and acknowledged by the president and secretary or like officers of the company, and, with a copy of the proceedings of the stockholders or members, if any, and of the directors, shall be filed with the Superintendent and by him submitted to the corporation counsel, and if he finds the amendment and proceedings in conformity with the law, he shall so certify to

the Superintendent. The amendment shall not take effect until the Superintendent shall deliver to the company his certified copy of the amendment and of the certificate of the corporation counsel. Sec. 10. Increase of capital stock.—If a company amend its

articles of incorporation by providing for an increase of its capital stock, such increase shall be subscribed and fully paid up within one year of the date of such amendment, unless the Superintendent shall certify his consent to an extension of such time. Failure to have such increase of capital stock paid up within the time provided may be considered grounds for ousting the company from its powers under any such amendment to such articles of incorporation by a court of competent jurisdiction in a proceeding by the Superintendent, the corporation counsel representing him, against the company for such judgment.

SEC. 11. DECREASE OF CAPITAL STOCK.—A company may, with the approval of the Superintendent, amend its articles of incorporation by providing for a decrease of its capital stock and a corresponding increase in surplus to an amount not less than the minimum capital stock and surplus required by this Act. The Superintendent shall not approve or issue his certified copy of such amendment if he be Restriction on distribution of approved of the opinion that the interests of policyholders or creditors may be prejudiced thereby. No distribution of the assets of the company shall be made to stockholders upon any such decrease of the company shall be made to stockholders upon any such decrease of

capital stock which shall reduce the surplus and capital stock to less than the minimum capital stock and surplus required as afore-Upon any such amendment so decreasing the capital stock such company may require each stockholder to return his certificate of stock and accept a new certificate for such proportion of the amount of its original capital stock as the reduced capital stock shall bear to the original capital stock.

Sec. 12. Liability of Stockholders.--All the stockholders of every company incorporated under this chapter shall be severally and individually liable to the policyholders and creditors of the company in which they are stockholders for the unpaid amount due upon the shares of capital stock held by them, respectively, for all debts and contracts made by such company until the whole amount of capital stock fixed and limited by such company shall have been paid in.

No person holding capital stock in such company as executor, administrator, guardian, committee, or trustee shall be personally subject to any liability as stockholder of such company, but the estate and funds in the hands of such executor, administrator, guardian, committee, or trustee shall be liable in like manner and to the same extent as the testator or intestate or the ward or person interested in such trust would have been if he had been living and competent to act and hold the stock in his own name.

Every such executor, administrator, guardian, committee, or trustee shall represent the capital stock in his hands at all meetings of the company, and may vote accordingly as a stockholder.

No person holding capital stock in such company as collateral security shall be personally subject to any liability as stockholder of such company, but the person pledging such capital stock shall be considered as holding the same, and shall be liable as a stockholder

accordingly; and every person who shall pledge his capital stock as collateral security may, nevertheless, represent the same at all meet-

ings and vote as a stockholder.

SEC. 13. CAPITAL STOCK PAYMENT CALLS.—No company incorpo- Capital stock payrated under this chapter shall be authorized to transact any business until the authorized capital stock shall have been actually paid in, either in cash or in investments authorized by this Act at market value; and it shall be lawful for the directors to call in and demand from the stockholders the residue of their subscriptions in money or property at such times and in such installments as the directors shall deem proper, under the penalty of forfeiting the shares of capital stock subscribed for and all previous payments made thereon, if payment shall not be made by the stockholder within sixty days after a personal demand or a notice requiring such payment shall have been published once a week for three consecutive weeks in a daily newspaper in the District.

SEC. 14. CAPITAL-STOCK TRANSFERS.—The capital stock of such com- Capital stock; transfer authorized. pany shall be deemed personal estate and shall be transferable in such manner as shall be prescribed by the bylaws of the company; but no shares shall be transferable until all previous calls thereon shall have been fully paid in or the shares shall have been declared for-

feited for nonpayment.

A person in whose name shares of capital stock stand on the books of a company shall be deemed the owner thereof as regards the company, but if any such person shall in good faith sell or otherwise dispose of any of his shares of capital stock to another and deliver to him the certificates for such shares, with written authority for the transfer of the same on the books, the title of the former shall vest in the latter so far as may be necessary to effect the purpose of the sale or other disposition, not only as between the parties themselves but also as against the creditors of and subsequent purchasers from the former.

Sec. 15. Capital-stock book.—It shall be the duty of the directors of every company formed under this chapter to cause a book to be kept by the treasurer or secretary thereof, containing the names of all persons, alphabetically arranged, who are or shall within six years have been stockholders of such company, and showing their place of residence, the number of shares of capital stock held by them, respectively, the time when they became owners of such shares, and the amount of capital stock actually paid in.

Such book shall, during the usual business hours of the day, on every business day, be open for inspection by policyholders, stockholders, and creditors of the company and their personal representatives at the office or principal place of business of such company in the place where its business operations shall be located, and any policyholder, stockholder, creditor, or representative shall have a

right to make extracts from such book.

Such book shall be presumptive evidence of the facts therein stated in favor of the plaintiff in any suit or proceeding against such

company or against any one or more stockholders.

Every officer or agent of any company who shall neglect to make False entry, refusal any proper entry in such book, or shall refuse or neglect to exhibit the same, or allow the same to be inspected and extracts to be taken therefrom, as herein provided, shall be deemed guilty of a misdemeanor, and the company shall pay to the party injured a penalty of \$50 for any such neglect or refusal, and all damages resulting therefrom.

Every company that shall neglect to keep such book open for for inspection. inspection, as herein provided, shall forfeit to the District the sum of

Penalty, called payments not made.

Conditioned upon previous calls paid

Ownership.

Capital stock books. Duty of keeping

Inspection.

Force as evidence.

Panalty.

Penalty.

Corporations and associations as members of mutual companies.

Mutual companies.
When to commence business.

Reorganization of existing domestic companies.

Consent of Superintendent required.
Filing.

\$50 for every day it shall so neglect, to be sued for and recovered by the Superintendent, the corporation counsel representing him, in the Supreme Court of the District.

Sec. 16. Corporations and associations as members of mutual companies.—Public or private corporations, boards, or associations of the District or elsewhere, may make applications, enter into agreements for, hold policies in, and become members of mutual companies. Any officer, stockholder, trustee, or legal representative of any such corporation, board, association, or of an estate may be recognized as acting for or on its behalf, but shall not be personally liable by reason of acting in such representative capacity.

SEC. 17. MUTUAL COMPANIES; WHEN TO COMMENCE BUSINESS.—No domestic mutual company shall transact any business until at least two hundred persons shall have subscribed in the aggregate for at least \$200,000 of insurance and shall have paid in full one annual

premium in money upon the insurance so subscribed.

Sec. 18. Reorganization of existing corporations.—Any domestic insurance corporation existing or doing business on the date when this Act goes into effect may, by a vote of a majority of its directors or trustees, accept the provisions of this chapter and amend its charter to conform with the same upon obtaining the consent of the Superintendent thereto in writing, and filing such consent in the office of the recorder of deeds for the District; and thereafter it shall be deemed to have been incorporated under this chapter, and every such corporation in reincorporating under this provision may for that purpose so adopt in whole or in part a new charter, in conformity herewith, and include therein any and all provisions of its existing charter, and any or all changes from its existing charter, to cover and enjoy any or all the privileges and provisions of existing laws which might be so included and enjoyed if it were originally incorporated hereunder, and it shall, upon such adoption of and after obtaining the consent, as in this section before provided, to such charter and filing the same with the Superintendent and the record thereof with the recorder of deeds of the District, perpetually enjoy the same as and be such corporation, which is declared to be a continuation of such corporation which existed prior to such reincorporation; and the offices therein which shall be continued shall be filled by the respective incumbents for the period and the same general proceedings shall be taken upon the presentation of such amended charter or certificate adopted in relation to such amendment, to the Superintendent, as are required by this chapter to be taken with respect to an original charter or certificate, except that no examination of the condition and affairs of such corporation shall be required unless so ordered by the Superintendent, and if the amended charter or certificate be approved by the Superintendent and his certificate of authority to do business thereunder is granted, the corporation shall thereafter be deemed to possess the same powers and be subject to the same liabilities as if such charter or certificate so amended had been its original charter or certificate of incorporation, but without prejudice to pending action or proceeding or any rights previously accrued.

Upon the reincorporation or upon the amendment of the charter of any corporation, having a capital stock in accordance with the provisions of this section it may by a vote of the majority of its directors confer upon its policyholders as may have a prescribed amount of insurance upon their lives the right to vote for all or any less number of the directors in such manner not inconsistent with any provision of this Act.

Voting privilege of policyholders.

Sec. 19. Conversion of a stock life company into a mutual life company in a mucompany.—Any domestic stock company organized or licensed to tual life company. do business, whether incorporated under this Act, or any previously existing law, or Act of Congress, may become a mutual company, and to that end may carry out a plan for the acquisition of shares of its capital stock: *Provided*, however, That such plan (1) shall Provises. Requirements, plan have been adopted by a vote of a majority of the directors of such of reorganization. Requirements, plan company; (2) shall have been approved by a vote of stockholders representing a majority of the capital stock at a meeting of stockholders represented (2) chall have been approved. holders called for the purpose; and (3) shall have been approved by a majority vote of the policyholders voting at a meeting, called for the purpose, of policyholders each insured for at least \$1,000 and whose insurance shall then be in force and shall have been in force for at least one year prior to such meeting; notice of such meeting shall be given by mailing such notice from the home office of such corporation at least thirty days prior to such meeting, in a sealed envelope, postage prepaid, addressed to such policyholders at their last known post-office addresses, and such meeting shall be otherwise provided for and conducted in such manner as shall be provided in such plan: Provided, however, That policyholders may vote in person, by proxy, or by mail; that all votes shall be cast by ballot and the Superintendent shall supervise and direct the methods and procedure of said meeting and appoint an adequate number of inspectors to conduct the voting at said meeting who shall have power to determine all questions concerning the verification of the ballots, the ascertainment of the validity thereof, the qualifications of the voters, and the canvass of the vote, and who shall certify to the Superintendent and to the company the result thereof, and with respect thereto shall act under such rules and regulations as shall be prescribed by the Superintendent; that all necessary expenses incurred by the Superintendent shall be paid by the company as certified to by him; and (4) shall have been submitted to the Superintendent and shall have been approved by him in writing: Provided, That every payment for the acquisition of any shares of the capital stock of such company, the purchase price of which is not fixed by stock shares. That every payment for the acquisition of any shares of the capital such plan, shall be subject to the approval of the Superintendent: Provided further, That neither such plan, nor any such payment, shall be approved by the Superintendent unless at the time of such approval of Superintendent unless at the time of such tendent conditioned approvals, respectively, the company, after deducting the aggregate sum appropriated by such plan for the acquisition of any part or all of its capital stock, and in the case of any payment not fixed by such plan and subject to separate approval as aforesaid after the approval of such plan approval of superintendent unless at the time of such the approval of such plan approval of superintendent unless at the time of such plan approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such approval of superintendent unless at the time of such ap approval of such plan, after deducting also the amount of such payment, shall be possessed of assets not less than the entire liabilities of the company, including the net values of its outstanding contracts computed according to the standard adopted by the company under chapter V, section 1, of this Act, and also all funds, contingent reserves, and surplus save so much of the latter as shall have been appropriated or paid under such plan.

SEC. 20. Corporations Heretofore formed.—Every company heretofore incorporated under the provisions of the laws of the District, or Act of Congress, is hereby brought under all the provisions of this Act, except that its capital may continue in the amount named in its charter during the existing term thereof, unless it extends its business to other kinds of insurance, and it shall be entitled to all privileges granted by such charter not authorized by this law.

Sec. 21. Directors.—The stock, property, and business of every company organized under this Act shall be managed by the directors who shall, except for the first year, be annually elected, at such time pany; election.

Requirements. Sec. 21. Directors.—The stock, property, and business of every who shall, except for the first year, be annually elected, at such time

Meetings and votes of policyholders.

Post, p. 1156.

Proxies.

Bylaws. Authority to make.

Election of directors. Notice required.

Vacancies

Election not held on designated day not grounds for dissolution.

Cumulative voting.

Voting power under group life insurance policies

Liability of directors.

and place as shall be determined by the bylaws of the company. Every director of such a stock company shall be a stockholder thereof, and every director of such a mutual company shall be a policyholder thereof. All proxies used in the election of directors of such companies shall be valid for a period not exceeding one year from the election for which they were signed and in which they were authorized to be voted.

were authorized to be voted.

Sec. 22. Bylaws.—The directors of companies organized under this Act shall have power to make such bylaws as they deem proper for the management of the business affairs of such company, not inconsistent with the laws of the District and the Constitution of the United States, and prescribing the duties of officers, employees, and servants that may be employed, for the appointment or election of all officers, and for carrying on all kinds of business within the objects and purposes of such company.

objects and purposes of such company.

Sec. 23. Election of directors.—Notice of the time and place of holding election of directors of a company organized under this Act shall be sent to those entitled to vote, and the election shall be made by such of the stockholders and/or policyholders as shall attend for that purpose, either in person or by proxy. All elections shall be by ballot, and the persons receiving the greatest number of votes shall be directors. When any vacancy shall happen among the directors it shall be filled for the remainder of the year in such manner as may be provided in the bylaws of the company.

In case it shall happen at any time that an election of directors shall not be made on the day designated by the bylaws of said company when it ought to have been made, the company shall not for that reason be dissolved, but it shall be lawful on any other day to hold an election for directors in such manner as shall be provided in the bylaws, and all acts of directors shall be valid and binding as against said company until their successors shall be elected.

Sec. 24. Cumulative voting.—In an election for directors of any stock company in which the policyholders do not vote, each stockholder having a right to vote may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer, that is to say: If the stockholder having a right to vote owns one share of stock, or has one vote, or is entitled to one vote for each of seven directors by virtue thereof, he may give one vote to each of said seven directors, or seven votes for any one thereof, or a less number of votes for any less number of directors, whatever may be the actual number to be elected, and in this manner may distribute or cumulate his votes as he may see fit.

Sec. 25. Voting power under policies of group life insurance.—In every group policy issued by a domestic life company the employer shall be deemed to be the policyholder for all purposes, within the meaning of this chapter, and, if entitled to vote at meetings of the company, shall be entitled to one vote thereat.

company, shall be entitled to one vote thereat.

Sec. 26. Liability of directors.—The directors of any company organized under the laws of the District shall be personally liable when they have participated in or assented to any act which shall cause injury to policyholders, creditors, or stockholders resulting from (a) ultra vires acts; (b) illegal corporate acts done with their connivance, knowledge, or consent; (c) issuing unpaid or part-paid stock and marking or representing it as paid up in full; (d) dividend payments declared whether negligently or purposely impairing the capital stock and minimum surplus; (e) mismanagement; (f) loaning corporate funds to stockholders or discounting their notes out of corporate moneys; (g) making false notices or reports that deceive the public; or, (h) transferring property to officers or stockholders

to defraud policyholders or creditors. If any of the directors shall object to declaring a dividend or the payment of the same, and shall, at any time before the time fixed for the payment thereof, file a certificate of their objections in writing with the secretary of the company and with the Superintendent, they shall be exempt from the liability prescribed in this section for dividends declared or paid impairing the capital stock and minimum surplus.

SEC. 27. SALARIES TO BE AUTHORIZED BY DIRECTORS.—No domestic be authorized. company shall pay any salary, compensation, or emolument to any officer, trustee, or director thereof, amounting in any one year to more than \$5,000, unless such payment shall be authorized by the board of

directors of the company.

SEC. 28. LIMITATION OF DIVIDENDS TO STOCKHOLDERS AND POLICY-Dividends to stockholders and policyhold-HOLDERS.—No domestic company shall make any payments in form ers.

Limitation on payof dividends or otherwise to its stockholders for or on account of ment. any interest in or relation to the company as stockholders unless it possesses assets in the amount of such payment in excess of its liabilities, including its capital stock, and the surplus required by this Act; and no domestic company shall make any payments to its policyholders for or on account of any interest in or relation to the company as members or policyholders except for matured claims or other policy obligations and in the purchase of surrender values unless it possesses assets in the amount of such payments in excess of its liabilities, and the capital stock and surplus required by this Act.

SEC. 29. OFFICERS.—There shall be a president, a secretary, and a treasurer of the company, who shall be elected by the directors; and also such subordinate officers as may be elected or appointed, and who may be required to give security for the faithful performance of the duties of their office, as this Act and the company by its

bylaws may require.

SEC. 30. OFFICERS AND DIRECTORS NOT TO BE PECUNIARILY INTERESTED IN TRANSACTIONS.—No director or officer of any company doing business in the District shall receive any money or valuable thing for negotiating, procuring, recommending, or aiding in any purchase by or sale to such company of any property, or any loan from such company, nor be pecuniarily interested, either as principal, coprincipal, agent, or beneficiary, in any such purchase, sale, or loan, nor shall the financial obligation of any such director or officer be guaranteed by such company in any capacity: *Provided*, That nothing herein contained shall prevent any such director or officer from receiving a property. fee for appraising property for said company or for said. committee that passes on the investments of said company: Provided further, That nothing herein contained shall prevent a life-insurance company from making a loan upon a policy held therein by a director not in excess of the net value thereof. Any person violating any provision of this section shall be guilty of a misdemeanor.

Sec. 31. Voting trusts prohibited.—It shall be unlawful for any ited. stockholder, director, or officer of any company having capital stock to enter into any contract or agreement, commonly known as "voting-trust agreements", whereby the rights, benefits, or liabilities attaching to the capital stock are transferred or assigned, temporarily or otherwise, to any person or group of persons, incorporated or unincorporated, for the purpose of controlling, managing, or directing the company, or voting its stock: *Provided*, That this section shall not prevent the granting of proxies by stockholders authorizing a designated individual to represent them at stock-

holders' meetings.

Exemption.

Officers.

Pecuniary interest of officers and directors in

appraising

Loans on policies.

Penalty provision.

Voting trusts prohib-

roviso.

Maximum and contingent premiums of mutual companies.

Sec. 32. Maximum and contingent premiums of mutual companies.—The maximum premium shall be expressed in the policy of a mutual company and it may be solely a cash premium or may be a cash premium and an additional contingent premium, which contingent premium shall not be less than the cash premium, but no mutual company shall issue any insurance policy for a cash premium without an additional contingent premium until and unless

Classification of risks.

it possesses a surplus of at least \$100,000. Sec. 33. Classification of risks by mutual companies.—A mutual company may, in its articles of incorporation or in its bylaws, provide for the classification of its risks and of its members and for the payment of dividends and for the creation of a surplus.

Mutual company guaranty fund; power to borrow.

Sec. 34. Mutual company guaranty fund; mutual company power to borrow.—A mutual company organized under this Act may borrow or assume a liability for the repayment of a sum of money sufficient to defray the reasonable expenses of its organization or to enable it to comply with any requirement of the law or as a guaranty fund upon agreement, which shall first be submitted to and approved by the Superintendent that such loan or advance, with interest at a rate not exceeding 6 per centum per annum, shall be repaid out of the earnings, or profits of such corporation with the approval of the Superintendent whenever in his judgment the financial condition of the company shall warrant; but such approval shall not be withheld if, after such repayment shall be made, the company shall have and be in possession of a surplus equal to 10 per centum or more of its gross annual premiums. Any such loan

Approval of Superintendent. Repayment.

pany, but until repaid all statements published by such company or filed with the Superintendent shall show the amount thereof then remaining unpaid.
Sec. 35. Investment of funds of domestic companies.—A domestic

or advance shall not form a part of the legal liabilities of the com-

Statement to show unpaid balance.

company shall invest its fund only in-(1) Bonds or other evidences of indebtedness of the United States, or of any State or of the Dominion of Canada or of any Province thereof.

Investment of funds. domestic companies.

> (2) Bonds or other evidences of indebtedness of any county, city, town, village, school district, or other municipal district within the United States or Dominion of Canada which shall be a direct obliga-

Government bonds.

tion of the county, city, town, village, or district issuing the same.

Municipal bonds.

(3) Bonds or notes secured by mortgages or deeds of trust of unencumbered real estate or perpetual leases thereon in the United States or Dominion of Canada worth not less than 50 per centum of immore than the amount loaned thereon. Where improvements on the land constitute a part of the value on which the loan is made, the improvements shall be insured against fire for the benefit of the mortgagee in an amount not less than the difference between two thirds of the value of the land and the amount of the loan: Provided. That for the purposes of this section real estate shall not be deemed to be encumbered within the meaning of this section, by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights of way, joint driveways, sewer rights, rights in walls, nor by reason

of building restrictions or other restrictive covenants, nor when such real estate is subject to lease in whole or in part whereby rents

Real estate mort-gages, deeds of trust.

Insurance

Proviso. Unencumbered estate, construed.

or profits are reserved to the owner. of Federal (4) Bonds or other evidences of indebtedness of the Farm Loan Banks authorized under the Federal Farm Loan Act or Acts amendatory thereof or supplementary thereto.

Bonds

(5) Stock and bonds and other evidences of indebtedness of any solvent corporation of any State or Territory of the United States or of the District or of any Province of the Dominion of Canada excepting stock in its own corporation: Provided, That no such investment shall be made in or loan made upon the security of any such stocks upon which dividends in cash during the period of five years next preceding such purchase amounting to not less than 4 per centum on all of such corporation's outstanding capital stocks in each fiscal year for said five years shall not have been paid and upon which bonds any regular interest payment shall have been defaulted any time within five years prior to such purchase or loan.

(6) Loans upon the pledge of any of the securities aforesaid.

(7) A life-insurance company may also purchase for its own benefit any policy of life insurance or other obligation of the company and claim of the holders thereof, and may lend to the holders of its life-insurance policies sums not exceeding in any case the reserve value of the policy at the time the loan is made, and for the payment of any such loan the policy and all profits thereon shall be pledged.

the funds required to meet its obligations in such country and in foreign country.

Investments, company in business in such country and in foreign country. foreign country that such company is allowed by law to invest in

the United States.

for any mortgage, contract, judgment, or lien owned or held by it, ers' Loan Corporation. or for any real estate acquired by it in satisfaction of contract, judgment, or lien upon such real estate, the bonds of the Home Owners' Loan Corporation, a corporation organized under and pursuant to the authority of the Home Owners' Loan Act of 1933, passed by the Congress of the United States and approved June 13, 1933.

No loan or investment, except loans on the security of life-insurance policies, shall be made by any such company, unless the same eral loans, etc. shall have been authorized by the board of directors or by a committee thereof charged with the duty of supervising loans or

investments.

No such company shall subscribe to or participate in any under-writing of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of said company, jointly with any other corporation, firm, or person, or enter into any agreement to withhold from sale any of its securities or property; but the disposition of its assets shall at all times be within the control of the company.

Nothing in this Act shall prohibit a company from accepting in Acceptance of securigood faith, to protect its interests, securities, or property, other than payment of debts. herein referred to, in payment of or to secure debts due or to become

due the company.

Sec. 36. Domestic company real-estate holdings.—A domestic company, company may acquire, hold, and convey real estate for the purpose Authorized transactions.

Authorized transactions. and in the manner only following:

(1) The building in which it has its principal office and the land

on which it stands.

(2) Such as shall be requisite for its convenient accommodation in the transaction of its business.

(3) Such as shall have been acquired for the accommodation of its business.

(4) Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted or for money due.

Stocks, bonds of solvent corporations.

Proviso. Restriction.

Loans upon pledge of Purchase of policies.

Loans to policyhold-

Limitation.

Restriction on gen-

Underwriting.

(5) Such as shall have been conveyed to it in satisfaction of debts, previously contracted, in the course of its dealings.

(6) Such as it shall have purchased at sales on judgments,

decrees, or mortgages obtained or made for such debts.

Sale of surplus property.

All such real estate specified in paragraphs (3), (4), (5), and (6) of this section, which shall not be necessary for its accommodation in the convenient transaction of its business, shall be sold by the company and disposed of within five years after it shall have acquired the title to the same, or within five years after the same shall have ceased to be necessary for the accommodation of its business unless the company procure the certificate of the Superintendent that its interests will suffer materially by a forced sale thereof, in which event the time for the sale may be extended to such time as the Superintendent shall direct in such certificate.

Reinsurance by domestic companies in authorized companies.

SEC. 37. REINSURANCE BY DOMESTIC COMPANIES IN AUTHORIZED COMPANIES.—Any domestic company may reinsure any part of an individual risk in another company having power to make such reinsurance, and with the consent of the Superintendent may reinsure any part or all of its risks in another such company. But no credit shall be taken for the reserve for unearned premiums on such reinsurance unless the company accepting the reinsurance is authorized to do business in the District by the Superintendent, or in one or more States in the United States, and the Superintendent shall have approved the reinsurance.

Credit for reserve for unearned premiums.

Disbursements, vouchers.

Sec. 38. Vouchers for disbursements.—No domestic company shall make any disbursement of \$100 or more unless the same be evidenced by a voucher signed by or on behalf of the person, firm, or corporation receiving the money and describing the consideration for the payment; and if the expenditure be in connection with any matter pending before any legislative or public body or before any department or officer of any State or government, the voucher shall describe the nature of the matter and the interest of the company therein, or, if such voucher cannot be obtained, the expenditure shall be evidenced by affidavit describing its character and object and stating the reasons for not obtaining such voucher.

Books, records, accounts, and vouchers of domestic companies.

Requirement.

SEC. 39. Books, RECORDS, ACCOUNTS, AND VOUCHERS OF DOMESTIC COMPANIES.—Every domestic company shall keep its books, records, accounts, and vouchers in such manner that its financial condition can be ascertained and so that its financial statements filed with the Superintendent can be readily verified.

Capital stock acquisition by company of its own shares.

SEC. 40. CAPITAL-STOCK ACQUISITION BY COMPANY OF ITS OWN SHARES.—It shall be unlawful for any company to acquire shares of its own capital stock except upon approval of the Superintendent where the total outstanding stock is being diminished in accordance with this Act.

Foreign and alien Chapter IV—Relating to Admission of Foreign and Alien companies.

Sec. 1. Application of foreign or alien company for authority to do business in the District.

Sec. 2. Trustees of alien companies.

Application for authority to do business in the District.

Section 1. Application of foreign or alien company for authorfity to do business in the District.—A foreign or alien insurance company desiring to transact business in the District shall file with the Superintendent:

Documents to be filed.

(a) Its application for certificate of authority, stating the kind or kinds of insurance it proposes to transact.

(b) A copy of its charter, articles of incorporation, or deed or Application for certificate. settlement, certified by the official who is required to keep or record the same in the State under whose laws the company is incorporated, or if organized under the laws of a foreign Government, Province, or State, by the proper official of such Government, Province, or State.

(c) A copy of its bylaws, or regulations, if any, certified to by the Bylaws, regulations.

secretary of the company.

(d) Copies of the policies it is issuing or proposes to issue and of the applications therefor.

(e) The instrument authorizing service of process on the Super- Instrument authorizing service of process.

intendent required by this Act.

(f) A statement of its financial condition and business, in form Statement of financial condition. as prescribed by law for annual statements, signed and sworn to by the president and secretary or other principal officers of the company. If an alien company, the statement shall comprise only its condition and business in the United States, and shall be signed and sworn to by its United States manager.

(g) It shall satisfy the Superintendent that the company is duly organized under the laws of the State, Province, or government under whose laws it professes to be organized, and authorized to do the business it is transacting or proposes to transact, and that its name is not identical with, nor so similar to, that of another company organized prior to the organization of the applying company

as to lead to confusion.

(h) It shall satisfy the Superintendent that it has, if a capital Capital stock comstock company, paid-up capital stock and surplus at least equal to the capital stock and surplus required of domestic companies invested in accordance with the laws of the District or the Government under which it is organized, and, if a company without capital stock, that it has assets at least equal to the assets required of domestic companies and an additional contingent liability of its policyholders equal to not less than the cash premium expressed in the policies in force, and, if an alien company, that it has a surplus of assets invested according to the laws of the District or of the State in the United States where it has its deposit, held in the United States in trust for the benefit and security of all of its policyholders in the United States, over all its liabilities in the United States, of an amount equal to the surplus of assets required of a like domestic company; and such alien company shall also deposit securities of the amount and value of \$100,000 and of the classes in which insurance companies are permitted by this law to make investments, or satisfy the Superintendent that it has on deposit with the official of a State of the United States, authorized by the law of such State to accept such deposit, securities of the amount and value of \$100,000 of the classes in which like insurance companies of such State are permitted to make their investments, for the benefit and security of all policy-holders of such company in the United States, and the company shall file with the Superintendent the certificate of such official of any such deposit with such official of any such State.

Sec. 2. Trustees of alien companies.—The directors of an alien

company may appoint citizens or corporations of the United States, pany. approved by the Superintendent, as its trustees to hold funds and assets in trust for the benefit of the policyholders and creditors of the company in the United States. A certified copy of the record of appointment and of the deed of trust shall be filed with the of record of appointment. Superintendent, who may examine such trustees and any officers and agents, books, and papers of the company in the same manner as he may examine officers, agents, books, papers, and affairs of insurance

Copy of charter.

Policies.

Requirements.

Other companies.

Deposit of securities.

Trustees of alien com-

Funds and assets.

companies. The funds and assets so held by such trustees shall, with the deposits otherwise made by the company and the funds and assets held by the company in the United States for the benefit of its policyholders and creditors in the United States, constitute the assets of the company for the purpose of making its financial statements required by this Act.

Provisions relating to all life insurance companies.

CHAPTER V-Provisions Relating to All Life Insurance Companies

- Sec. 1. Superintendent to value policies; legal standard of valuation.
- 2. Separate classes and accounts to be kept for participating and nonparticipating insurance.
- 3. Standard provisions required in life-insurance policies. Sec.
- Sec. 4. Provisions prohibited in life-insurance policies.
- Sec. 5. Standard provisions required in annuities and pure endowment contracts.
- 6. Extension of time for payment of life premium. Sec.
- 7. Interest on policy and premium loans may be added to principal.
- 8. Life-policy forms to be filed with Superintendent. Sec.
- 9. Provisions required by the laws of a company's own State may be Sec. included in policies.
- Sec. 10. Definition of group life insurance.

shall be made upon the net premium basis.

- Sec. 11. Standard provisions for policies of group life insurance.
- Sec. 12. Standard provisions for accident and health policies.
- Sec. 13. Stock operations and advisory-board contracts prohibited.
- Sec. 14, Misrepresentations prohibited.
- Sec. 15. Discrimination prohibited.
- Sec. 16. Rights of creditors and beneficiaries under policies of life insurance,

Section 1. Superintendent to value policies; legal standard of valuation.—The Superintendent shall annually make valuations of

- Sec. 17. Exemption of group life-insurance policies from execution.
- Sec. 18. False statements.
- Sec. 19. Proceeds of certain policies to be held in trust by life company.
- Sec. 20. When actual premium for life policy is less than net premium.

Policies.
Annual valuations
by Superintendent. all outstanding policies, additions thereto, and all other life insurance and annuity obligations of every life company doing business in the District. All valuations made by him, or by his authority,

Basis.

Standard of valua-

Valuation of policies by company

The legal minimum standard for the valuation of life-insurance contracts issued before the 1st day of January next following the passage and approval of this Act shall be the method and basis of valuation heretofore applied by the Superintendent in the valuation of such contracts, and for life-insurance contracts issued on and after said date shall be the one-year preliminary term method of valuation, except as hereinafter modified, on the basis of the American Experience Table of Mortality with interest at 31/2 per centum per annum: Provided, That any life company may, at its option, value its insurance contracts issued on and after the passage and approval of this Act in accordance with their terms on the basis of the American Men Ultimate Table of Mortality with interest not higher than 3½ per centum per annum by the level net premium method or by the modified preliminary term method hereinafter described.

Premium payments. If the premium charged for term insurance under a limited payment life preliminary term policy providing for the payment of all premiums thereon in less than twenty years from date of the policy, or under an endowment preliminary term policy, exceeds that charged for like insurance under twenty payment life preliminary term policies of the same company, the reserve thereon at the end of the year, including the first, shall not be less than the reserve on a twenty payment life preliminary term policy issued in the same year and at the same age, together with an amount which shall be equivalent to the accumulation of a net level premium sufficient to provide for a pure endowment at the end of the premium payment period, equal to the differences between the value at the end of such period of such a twenty payment life preliminary term policy and the full net level premium reserve at such time of such a limited payment life or endowment policy. The premium payment period is the "Premium payment period", construed. period during which premiums are concurrently payable under such twenty payment life preliminary term policy and such limited payment life or endowment policy.

Policies issued on the preliminary term method shall contain a prolicies issued under clause specifying that the reserve thereof shall be computed in acmethod. cordance with the modified preliminary term method of valuation

provided for herein.

The legal minimum standard for the valuation of annuities issued standard for valuation on and after the 1st day of January next following the passage and of annuities. approval of this Act shall be McClintock's Table of Mortality Among Annuitants, with interest at 4 per centum per annum, but annuities deferred ten or more years and written in connection with life insurance shall be valued on the same basis as that used in computing the consideration or premiums therefor, or upon any

higher standard at the option of the company.

The legal minimum standard for the valuation of industrial policies issued after the 1st of January next following the passage and approval of this Act shall be the American Experience Table of Mortality with interest at 3½ per centum per annum: Provided, Provided, Value any life company may voluntarily value its industrial policies pany. on the basis of the standard industrial mortality table or the substandard industrial mortality table by the level net premium method or in accordance with their terms by the modified preliminary term

method hereinbefore described.

Every company shall report the standards used by it in making valuations to the Superintendent in its annual statement: Provided, That no such standards, if adopted, shall be abandoned without the standard.

consent of the Superintendent first obtained in writing.

The Superintendent may vary the standards of interest and mortendent to vary standtality in the case of alien companies as to contracts issued by such ards. companies in other countries than the United States, and in particular cases of invalid lives and other extra hazards; may value policies in groups, use approximate averages for fractions of a year and otherwise, and shall accept the valuation of the insurance department of any State or country, if made upon a basis and according to standards producing a reserve not lower than herein required or authorized, instead of the valuation herein required if the insurance official of such State or country accepts as sufficient and valid for all purposes the certificate of valuation of the Superintendent of the District.

Sec. 2. Separate classes and accounts to be kept for partici-PATING AND NONPARTICIPATING INSURANCE.—Every life company doing business in the District which issues both participating and insurance Sanarat nonparticipating policies shall keep the two classes of business sepa-required. rate and shall make and include in the annual statement to be filed with the Superintendent each year a separate statement of the gains, losses, and expenses properly attributable to each of such classes and also showing the manner in which any general outlay of expenses of the company has been apportioned to each. No such

Reserves.

For valuation of in-dustrial policies.

Proviso. Valuation by com-

Report of standards. Proviso.

Separate classes and accounts, participating and nonparticipating

Annual statement.

Limitation on appli- life company shall be permitted to do business in the District unless cation of section. it makes such a separation of its business. This section shall not apply to paid-up, temporary, or pure endowment insurance issued or granted in exchange for lapsed or returned policies.

Standard provisions required in policies.

Sec. 3. Standard provisions required in life-insurance policies.—No policy of life insurance other than industrial insurance, annuities, and pure endowments with or without return of premiums or of premiums and interest shall be issued or delivered in the District or be issued by a life company organized under the laws of the District after the 1st day of January next following the passage and approval of this Act unless the same shall contain in substance the following:

Premiums payable in

(1) A provision that all premiums after the first shall be payable in advance, either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be designated in the policy.

Period of grace.

(2) A provision that the insured is entitled to a grace period of at least thirty days or of one month within which the payment of any premiums after the first year may be made, subject at the option of the company to an interest charge not in excess of 6 per centum per annum for the number of days of grace elapsing before the payment of the premium, during which period of grace the policy shall continue in full force, but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year, if any, are paid, the amount of such premiums, with interest on any overdue premiums, may be deducted from any amount payable under the policy in settlement. Grace shall date from the premium-paying date stated in the policy.

Policy to constitute entire contract.

Incontestability

Exceptions.

Statements ements of in-deemed repreentations.

Use of statement in defense of claim.

Proviso.
Limitation on application of provision; reinstated policy.

Misstatement of age of insured.

(4) A provision that if it shall be found at any time before final settlement under the policy that the age of the insured (or the age of the beneficiary, if considered in determining the premium) has been misstated, the amount payable under the policy shall be such as the premium would have purchased at the correct age, according to the company's rate at date of issue.

Participation in company surplus

(5) A provision that the policy shall participate in the surplus of the company, and any policy containing provisions for participation at the end of the first policy year, and annually thereafter,

(3) A provision that, except as otherwise expressly provided by law, the policy shall constitute the entire contract between the parties and shall be incontestable after it has been in force during the lifetime of the insured for a period of not more than two years from its date, except for nonpayment of premiums and except for violations of the conditions of the policy relating to naval or military service in time of war, and at the option of the company, provisions relative to benefits in the event of total and permanent disability and provisions which grant additional insurance specifically against death by accident may also be excepted; that all statements made by the insured shall, in the absence of fraud, be deemed representations and not warranties; and that no such statement or statements shall be used in defense of a claim under the policy unless contained in a written application and unless a copy of such statement or statements be endorsed upon or attached to the policy when issued: *Provided*, That nothing contained herein shall apply to applications for reinstatement. A reinstated policy shall be contestable on account of fraud or misrepresentation of material facts pertaining to the reinstatement, for the same period after reinstatement as provided in the policy with respect to the original issue.

may also provide that each dividend shall be paid subject to the payment of the premium for the next ensuing year; and the insured under any annual dividend policy shall have the right each year to have the dividend arising from such participation paid in cash; and if the policy shall provide other dividend options, it shall tions. further provide which of said options shall be effective if the insured shall not elect any such other option on or before the expiration of the period of grace allowed for the payment of the premium. This provision shall not apply to any form of paid-up Limitation on appliinsurance or temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies,

or to nonparticipating policies.

(6) A provision that after the policy has been in force three full years the company at any time, while the policy is in force, will advance, on proper assignment or pledge of the policy and on the sole security thereof, at a specified rate of interest, a sum equal to, or at the option of the insured less than the reserve at the end of the current policy year on the policy and on the dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and of total and permanent disability and additional accidental death benefits, less a sum not more than 21/2 per centum of the amount insured by the policy and of any dividend additions thereto (the policy to specify the mortality table and rate of interest adopted for computing such reserve); and that the company will indebtedness. deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year; which provision may further provide that such period may be deloan may be deferred for not exceeding six months after the application therefor is made. A company may, in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than 21/2 per centum of the amount insured by the policy and of any dividend additions thereto, insert in the policy a provision that one fifth of the said reserve may be deducted in a provision that one inth of the said reserve may be deducted in case of a loan under the policy, or may provide therein that the deduction may be the said 2½ per centum or the one fifth of the said reserve at the option of the company. This provision shall not eable be required in term insurance, nor shall it apply to temporary insurance or pure endowment insurance, issued or granted in exchange for lapsed or surrendered policies. The policy may further the interest on the loan is not paid when due it shall provide that if the interest on the loan is not paid when due it shall be added to the existing loan and shall bear interest at the same rate.

(7) A provision that in event of default in premium payments, payments. after premiums shall have been paid for three years, the insured shall be entitled to a stipulated form of insurance, effective from the due date of the defaulted premium, the net value of which shall insurance. be at least equal to the reserve at the date of default on the policy and on dividend additions thereto, if any, exclusive of the reserve on account of return premium insurance and on total and permanent disability and additional accidental death benefits (the policy to specify the mortality table and rate of interest adopted for computing such reserve); less a specified percentage (not more than two and one half) of the amount insured by the policy and of existing dividend additions thereto, if any, and less any existing indebtedness to the company on or secured by the policy: Provided, That a company may, in lieu of the provision herein permitted for the deduction from the reserve of a sum not more than 21/2 per centum of the amount insured by the policy, and of any dividend additions thereto, insert in the policy a provision that one fifth of said reserve may be deducted, or may provide therein that a deduction may be

Right of payment in cash.

Other dividend op-

Loans.

Amount.

Deduction of part of

Provision not applito term insur-

Interest.

Default in premium

Provisos. Deductions.

Surrender of policy for cash value.

Deferred payment.
Not applicable term insurance.

Table showing loan values

Purchase of other insurance.

Reinstatement.

Death settlement.

Amount of installments

Title.

made of said 2½ per centum or one fifth of said reserve, at the option of the company: Provided further, That the policy may be surrendered to the company at its home office within one month of the due date of defaulted premium for a specific cash value at least equal to the sum which would otherwise be available for the in purchase of insurance as aforesaid: And provided further, That the company may defer payment for not more than six months after the application therefor is made. This provision shall not be Net single premium required in term insurance of twenty years or less. The net single premium rate employed in computing the term of temporary insurance or the amount of pure endowment insurance granted as a non-forfeiture value under any life-insurance policy may at the option of the company be based upon a table of mortality showing rates of mortality not greater than 130 per centum of those shown by the American Men Ultimate Table of Mortality instead of the table used in computing the reserve on the policy, or in case of substandard policies not greater than 130 per centum of the rates of mortality shown by the table of mortality approved by the Superintendent for computing the reserve on the policy, anything herein to the contrary notwithstanding.

Specification of options in event of premium default.

Not applicable in term insurance.

Option of company, when premium default.

Option of company, when premium default in the event of default in a premium payment after three full annual premiums shall have been paid. This provision shall not be required in term insurance of twenty years or less. A provision may also be inserted in the policy that in event of default in a premium default. vision may also be inserted in the policy that in event of default in a premium payment before such options become available the reserve on any dividend additions then in force may at the option of the company be paid in cash or applied as a net premium to the purchase of paid-up term insurance for any amount not in excess of the

face of the original policy.

(9) A table showing in figures the loan values and the options available under the policy each year upon default in premium payments, during at least the first twenty years of the policy or during the premium paying period if less than twenty years.

(10) A provision that if in event of default in premium payments the value of the policy shall have been applied to the purchase of other insurance as provided for in this section, and if such insurance shall be in force and the original policy shall not have been surrendered to the company and canceled, the policy may be reinstated within three years from such default, upon evidence of insurability satisfactory to the company and payment of arrears of premiums and the payment or reinstatement of any other indebtedness to the company upon said policy, with interest on said premium and indebt-edness at the rate of not exceeding 6 per centum per annum payable annually, and that such reinstated policy shall be contestable, on account of suicide, fraud, or misrepresentation of material facts pertaining to the reinstatement, for the same period after reinstatement as provided in the policy with respect to the original issue.

(11) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death.

(12) A table showing the amount of installments, if any, in which the policy may provide its proceeds may be payable.

(13) Title on the face and on the back of the policy briefly describing its form.

Any of the foregoing provisions or portions thereof not applicable to single premium or nonparticipating or term policies shall, to that extent, not be incorporated therein; and any such policy may be issued or delivered in the District which in the opinion of the Super-

intendent contains provisions on any one or more of the several foregoing requirements more favorable to the policyholder than hereinbefore required. The provisions of this section shall not apply to policies of reinsurance, or to policies issued or granted in exchange

for lapsed or surrendered policies, or to group insurance.

SEC. 4. Provisions prohibited in life-insurance policies.—No in life-insurance policy of life insurance other than industrial insurance, annuities, cies. and pure endowments, with or without return of premiums or of premiums and interest, shall be issued or delivered in the District or be issued by a life company organized under the laws of the District after the 1st day of January next following the passage and approval of this Act if it contains any of the following provisions:

(1) A provision limiting the time within which any action at law or in equity may be commenced to less than three years after the

cause of action shall accrue.

(2) A provision by which the policy shall purport to be issued or before application take effect more than six months before the original application for made.

the insurance was made.

(3) Except for provisions relating to misstatement of age, sui- Settlements at macide, aviation, and military or naval service in time of war, a pro- amount on policy vision for any mode of settlement at maturity, after the expiration of the contestable period of the policy, of less value than the amount insured on the face of the policy plus dividend additions, if any, less any indebtedness to the company on or secured by the policy, and less any premium that may, by the terms of the policy, be deducted. This paragraph shall not apply to any nonforfeiture provision which employs the cash value less indebtedness, if any, to purchase automatic paid-up or extended insurance.

(4) A provision for forfeiture of the policy for failure to repay forfeiture of policy, failure to repay loan. any loan on the policy, or to pay interest on such loan, while the total indebtedness on the policy, including interest, is less than the

loan value thereof.

(5) A provision to the effect that the agent soliciting the insurance Soliciting agent as is the agent of the person insured under said policy, or making the acts or representations of such agent binding upon the person so insured under said policy.

(6) A provision permitting the payment of funeral benefits in benefits in merchan-merchandise or services, or permitting the payment of any benefits dise.

other than in lawful money of the United States.

(7) A provision permitting either contracting to pay, or the payment of, funeral, burial, and other expenses to any designated undertaker or undertaking establishment, or to any particular tradesman or business man, so as to deprive the persons entitled by law to dis-insured. pose of the body of a deceased, or in anyway to control such persons in procuring and purchasing said supplies and services in the open market with the advantage of competition.

SEC. 5. STANDARD PROVISIONS REQUIRED IN ANNUITIES AND PURE Standard provisions required in annuities endowment contracts.—On and after January 1 following the pasand pure endowment sage and approval of this Act no annuity or pure endowment concentrates. sage and approval of this Act no annuity or pure endowment contract shall be issued or delivered in the District unless and until a copy of the form thereof has been filed with the Superintendent and formally approved by him.

Except in the case of a reversionary annuity, otherwise called a "survivorship annuity", or an annuity contracted by an employer in behalf of his employees, no annuity or pure endowment contract shall be so issued or delivered in this District unless it contains, in substance, the following provisions:

First. A provision that there shall be a period of grace, either of thirty days or of one month, within which any stipulated payment

Limitation of actions.

Payment of funeral expenses.

Disposal of body of

Copy to be filed.

Period of grace.

Deductions in event of death during.

to the company falling due after the first year may be made, subject, at the option of the company, to an interest charge thereon at a rate to be specified in the contract, but not exceeding 6 per centum per annum for the number of days of grace elapsing before such payment, during which period of grace, the contract shall continue in full force; but in case a claim arises under the contract on account of death during the said period of grace before the overdue payment to the company or the deferred payments of the current contract year, if any, are made, the amount of such payments, with interest on any overdue payments, may be deducted from any amount payable under the contract in settlement.

Incontestibility.

Second. If statements, other than those relating to age and identity, are required, as a condition of issuing the contract, a provision that the contract shall be incontestable after it has been in force during the lifetime of the person or each of the persons as to whom such statements are required, for a period of two years from its date of issue, except where stipulated payments to the company have not been made, and except for violation of the conditions of the contract relating to military or naval service in time of war, and at the option of the company, provisions relative to benefits in the event of total and permanent disability and provisions which grant insurance specifically against death by accident, may also be excepted.

Policy to constitute entire contract.

Third. A provision that such contract shall constitute the entire contract between the parties, but if the company desires to make the application a part of the contract it may do so, provided a copy of such application shall be endorsed upon or attached to such contract, when issued, and in such case such contract shall contain a provision that it, together with the application therefor, shall constitute the entire contract between the parties.

Misstatements garding age.

Fourth. A provision that if the age of the person or persons upon whose life or lives the contract is based, or of any of them, has been misstated, the amount payable under the contract shall be such as the stipulated payments to the company would have purchased at the correct age or ages.

Overpayments bv company.

Any over payment or over payments by the company, on account of misstatement of age, shall with interest thereon at a rate to be specified in the contract, but not exceeding 6 per centum per annum, be charged against the current or next succeeding payment or payments to be made by the company under the contract.

Apportionment of surplus in participating contract.

Fifth. If the contract is participating, a provision that the divisible surplus shall be apportioned annually and dividends shall be payable in cash or shall be applicable to any stipulated payment or payments to the company under the contract.

Lapsed policy.

Sixth. A provision that if the contract after having been in force for three full years, shall, by its terms, lapse or become forfeited because any stipulated payment to the company shall not have been made, the reserve on such contract, computed according to the standard adopted by said company in accordance with this chapter,
Application of re-shall, after deducting one fifth of the said entire reserve, and any indebtedness to the company under the contract, be applied as a net single payment, according to said standard, for the purchase of a paid-up annuity or pure endowment contract, which may be nonparticipating and which shall be payable by the company under the same terms and conditions, except as to amount, as the original contract. A company may provide, in lieu of such paid-up values, for a paid-up annuity or pure endowment contract in an amount bearing the same proportion to the original annuity or pure endowment contract as the number of stipulated payments which shall

Contracts in lieu of contract. paid-up values.

have been made to the company shall bear to the total number of stipulated payments required to be made to the company under the contract, and if there be any indebtedness to the company under the contract, the amount of such paid-up annuity or pure endowment shall be reduced by an amount bearing the same proportion to such paid-up annuity or pure endowment as such indebtedness bears to the reserve on such paid-up annuity or pure endowment, computed according to the standard adopted by said company in accordance with this chapter.

Seventh. A provision that the contract may be reinstated at any Reinstatement, faulted contract. time within one year from the date of default in making stipulated payments to the company, provided that all overdue stipulated payments and any indebtedness to the company on the contract shall be made or paid, with interest thereon at a rate to be specified in the contract but not exceeding 6 per centum per annum, payable annually. In cases where applicable a company may also include a requirement of evidence of insurability satisfactory to the

No contract for a reversionary annuity shall be so issued or sionary annuity

delivered unless it contains in substance the following provisions:

A. Provisions "First", "Second", "Third", and "Fifth", of ble.

this section, except that under provision "First", the company may, at its option, provide for an equitable reduction of the amount of the annuity payments in settlement of any overdue or deferred payments, in lieu of providing for a deduction of such payments from any amount payable upon a settlement under the contract.

B. A provision that, if the age of any of the persons upon whose lives the contract is based has been misstated, the amount payable under the contract shall be such as the stipulated payments to the

company would have purchased at the correct ages.

C. A provision that the contract may be reinstated at any time within three years from the date of default in making stipulated payments to the company, upon production of evidence of insurability satisfactory to the company, provided that all overdue payments and any indebtedness to the company on the contract shall be made or paid, with interest thereon at a rate to be specified in the contract, but not exceeding 6 per centum per annum, payable

Any of the foregoing provisions or portions thereof not applicable plicable to nonparticito nonparticipating contracts nor to contracts for which a single pating contracts. stipulated payment to the company is made, shall, to that extent, not be incorporated therein; and any such contract may be issued or delivered in this District, which, in the opinion of the Superintendent, contains provisions on any one or more of the several foregoing requirements, more favorable to the holder of the contract than hereinbefore required.

Nothing herein contained shall be construed to prevent a life company, which issues life insurance on a participating basis, from issuing annuities, reversionary annuities, or pure endowments on a

nonparticipating basis.

Any such contract or any application, endorsement, or rider form Construction of conused in connection therewith, issued in violation of this section, shall, sions hereof. nevertheless, be held valid, but shall be construed as provided in this section and when any provision in such contract, application, endorsement, or rider is in conflict with any provision of this section or with any other statutory provision, the rights, duties, and obligations of the company, of the holder of the contract and of the beneficiary or annuitant thereunder, shall be governed by the provisions of this section.

Contracts for rever-

Misstatement of age.

Reinstatement,

Nonapplicability of provisions.

The provisions of this section shall not apply to contracts of reinsurance nor to contracts for deferred annuities or reversionary annuities included in life insurance policies.

Forms deemed part of contract.

Approval required.

For the purposes of this section, application forms, rider forms, and endorsement forms for use in connection with any such contract, excepting riders or endorsements relating to the manner of distribution of benefits or to the reservation of rights and benefits under any such contract, and used at the request of the individual holders of such contracts, shall be deemed to be parts of such contract and shall require the approval of the Superintendent. No rider and no endorsement, except as stated above, shall be attached to or printed or stamped upon any such contract issued or delivered in the District until the form of such rider or endorsement has been filed with

the Superintendent and formally approved by him.

Life premiums, extension of time for payment.

Sec. 6. Extension of time for payment of life premiums.—A life company may enter into subsequent agreements in writing with the insured, which need not be attached to the policy, to extend the time for the payment of any premium, or part thereof, upon condition that failure to comply with the terms of such agreement shall lapse the policy, as provided in said agreement or in the policy. Subject to such lien as may be created to secure any indebtedness contracted by the insured, in consideration of such extension, said agreement shall not impair any right existing under the policy.

SEC. 7. Interest on policy and premium loans may be added to the principal of such loans and shall bear interest at the rate

specified in the note or loan agreement.

SEC. 8. LIFE-POLICY FORMS TO BE FILED WITH SUPERINTENDENT.—A policy of life insurance shall not be issued or delivered in the District until the form of the same has been filed with the Superintendent, nor if the Superintendent give written notice, within thirty days of such filing to the company proposing to issue it, showing wherein the form of such policy does not comply with the requirements of the laws of the District, provided that such action of the Superintendent shall be subject to review by a court of competent jurisdiction.

SEC. 9. PROVISIONS REQUIRED BY THE LAWS OF A COMPANY'S OWN STATE MAY BE INCLUDED IN POLICIES.—The policies of a life company, not organized under the laws of the District, may contain any provisions prescribed by the laws of the State, Territory, District, or country, under which the company is organized. The policies of a life company, organized under the laws of the District, may, when issued or delivered in any State, Territory, District, or country, contain any provisions required by the laws of the State, Territory, District, or country in which the same are issued or delivered, any

thing in this Act to the contrary notwithstanding.

Sec. 10. Definition of group life insurance is hereby declared to be that form of life insurance covering not less than twenty-five employees, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer, or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the employer: *Provided*, *however*, That when the premium is to be paid by the employer and employee jointly and the benefits of the policy are offered to all eligible employees, not less

Interest on policy and premium loans.

Life policy forms, filing with Superintendent.

Provisions required by the laws of a company's own state, inclusion in policies.

Group life insurance defined.

Proviso.

Percentage to be insured.

than 75 per centum of such employees may be so insured. Such group policy may provide that the term "employees" shall include "Employees"; the officers, managers, and employees of subsidiary or affiliated corporations, and the individual proprietors, partners, and employees of affiliated individuals and firms, when the business of such subsidiary or affiliated corporations, firms, or individuals is controlled by the common employer through stock ownership, contract, or otherwise.

troops, or other units of the National Guard, of any State or the

District, written under a policy issued to the commanding general of the National Guard, who shall be deemed to be the employer for the purposes of this chapter, the premium on which is to be paid by the members of such units for the benefits of persons other than the employer: Provided, however, That when the benefits of the policy are offered to all eligible members of a unit of the National Guard, not less than 75 per centum of the members of such a unit may be so insured; (b) life insurance covering the members of one or more troops or other units of the State troopers or State police of any State, written under a policy issued to the commanding officer of the State troopers or State police, who shall be deemed to be the employer for the purpose of this chapter, the premium on which is to be paid by the members of such units for the benefit of persons other than the employer: Provided, however, That when the benefits of the policy are offered to all eligible members of a unit of the State troopers or State police not less than 75 per centum of the members of such unit may be so insured; (c) life insurance covering not less government employees. than fifty employees of the government of the District or of the Federal Government, with or without medical examination, written under a policy issued to the President of the Board of Commissioners, or to the head of any Federal department or independent Federal bureau, board, commission, or other Federal independent establishment, or to an association of Federal employees, as the case may be, the premium on which is to be paid by the employees and insuring only employees, or any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based

upon some plan which will preclude individual selection, for the benefit of persons other than the employer: *Provided*, That when the benefits of the policy are offered to all eligible employees, not less

insurance covering the members of any labor union, written under a policy issued to such union, which shall be deemed to be the employer for the purposes of this chapter, the premium on which is to be paid by the union or by the union and its members jointly, and insuring only all of its members who are actively engaged in the same occupation, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the union or its officials: Provided, however, That when the premium is to be paid by the union and its members jointly and the benefits are offered to all eligible members, not less than 75 per centum of such members may be so insured: Provided further, That when members apply and pay for additional amounts of insurance, a smaller percentage of members may be insured for such additional

The following forms of life insurance are hereby declared to be group life insurance within the meaning of this chapter: (a) Life group life insurance insurance covering the members of one or more companies, batteries, units.

National Guard

troopers or

than 75 per centum of such employees may be so insured; (d) life union. Members of labor

SEC. 11. STANDARD PROVISIONS FOR POLICIES OF GROUP LIFE INSUR- group life insurance. ANCE.—No policy of group life insurance shall be issued or delivered in the District, unless and until a copy of the form thereof has been

amounts, if they pass satisfactory medical examinations.

filed with the Superintendent and formally approved by him; nor shall a policy be so issued or delivered unless it contains, in substance, the following provisions:

1. A provision that the policy shall be incontestable after two years from its date of issue, except for nonpayment of premiums and except for violation of the conditions of the policy relating to military or naval service in time of war.

2. A provision that the policy, the application of the employer, and the individual applications, if any, of the employees insured, shall constitute the entire contract between the parties, and that all statements made by the employer or by the individual employees shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defense to a claim under the policy, unless it is contained in a written application, but a copy of such written application need not be attached to the policy.

3. A provision for the equitable adjustment of the premium or the amount of insurance payable in the event of a misstatement of the

age of an employee.

4. A provision that the company will issue to the employer for delivery to the employee, whose life is insured under such policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled, to whom payable, together with provisions to the effect that in case of the termination of the employment, for any reason whatsoever, the employee shall be entitled to have issued to him by the company, without evidence of insurability, and upon application made to the company, within thirty-one days after such termination, and upon the payment of the premium applicable to the class of risk to which he belongs, and to the form and New policy upon termination of employ amount of the policy, at his then attained age, a policy of life insurance in any one of the forms customarily issued by the company, ance in any one of the forms customarily issued by the company, except term insurance, in an amount equal to the amount of his protection under such group-insurance policy at the time of such

> 5. A provision that to the group or class thereof originally insured shall be added, from time to time, all new employees of the employer eligible to insurance in such group or class.

Except as provided in this chapter it shall be unlawful to make a

contract of life insurance covering a group in the District.

Policies of group life insurance, when issued in the District by any company not organized under the laws of the District may contain, when issued, any provision required by the law of the State or Territory or District of the United States under which the company is organized; and policies issued in the several States or countries, by companies organized in the District, may contain any provision required by the laws of the District, Territory, State, or country in which the same are issued, anything in this section to the contrary potwithstending. Any such policy may be issued or delivered in the notwithstanding. Any such policy may be issued or delivered in the District which, in the opinion of the Superintendent, contains provisions on any one or more of the several foregoing requirements more favorable to the employer or to the employee than hereinbefore required.

Sec. 12. Standard provisions for accident and health policies.-(a) On and after the 1st day of January next following the passage and approval of this Act no policy of insurance against loss or damage from sickness, or bodily injury or death of the insured by accident, shall be issued or delivered to any person in the District by any company organized under this, or any other law of the District,

Policy to constitute entire contract.

Incontestibility.

Misstatement of age.

Issue of individual certificate.

Addition of new employees.

Provisions in policy required by State, un-der laws of which company organized.

Standard provisions for accident and health policies.

or, if a foreign company, authorized to do business in the District, Form, classification until a copy of the form thereof, and of the classification of risks with Superintendent. and the premium rates appertaining thereto, have been filed with the Superintendent; nor shall it be so issued or delivered until the expiration of thirty days after it has been so filed, unless the Superintendent shall sooner give his written approval thereto. If the Superintendent shall give written notice to the company which has filed such form that it does not comply with the requirements of law, specifying the reasons for his opinion, it shall be unlawful thereafter for any such insurer to issue any policy in such form. The action of the Superintendent in this regard shall be subject to appeal

and review in the form and manner prescribed in section 28.

(b) No such policy shall be so issued or delivered (1) unless Mandatory the entire money and other considerations therefor are expressed sions. in the policy; nor (2) unless the time at which the insurance thereunder takes effect and terminates is stated in a portion of the policy preceding its execution by the company; nor (3) if the policy purports to insure more than one person; (4) nor unless every printed portion thereof and of any indorsement or attached papers shall be plainly printed in type of which the face shall not be smaller than ten point; nor (5) unless a brief description thereof be printed on its first page and on its filing back in type of which the face shall not be smaller than fourteen point; nor (6) unless the exceptions of the policy be printed with the same prominence as the benefits to which they apply: Provided, That any portion of such policy which purports, by reason of the circumstances under which a loss ment, reduction of initial incurred, to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances shall be printed in bold-face type and with greater prominence than any other portion of the text of the policy.

(c) Every such policy so issued shall contain certain standard provisions, which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption "Standard provisions." In each standard provision wherever the word "company" is used there shall be substituted therefor "company" or "corporation" or "association" or "society" or such other word as will properly designate the company. Said standard provisions

shall be:

(1) A standard provision relative to the contract, which may be in either of the following two forms: Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation, and form (B) to be used in policies which do so provide. If form (B) is used and the policy provides indemnity against loss from sickness, the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured ":

(A) 1. This policy includes the indorsements and attached papers, if any, and contains the entire contract of insurance. No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act

or thing pertaining to any other occupation.
(B) 1. This policy includes the endorsements and attached papers, if any, and contains the entire contract of insurance except as it may be modified by the company's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the company as more hazardous than that stated in the policy, or while he is doing any act or thing pertaining to any occupation so classified, except ordinary duties about his residence or while engaged in recreation, in which event

provi-

Standard provisions

Terms.

Form A.

Form B.

the company will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the company for such more hazardous occupation.

State laws requiring statement of premium rates and classification of risks.

If the law of the State, in which the insured resides at the time this policy is issued, requires that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the State official having supervision of insurance in such State, then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the company in accordance with such law, but if such filing is not required by such law then they shall mean the company's premium rates and classification of risks last made effective by it in such State prior to the occurrence of the loss for which the company is liable.

Change in contract.

(2) A standard provision relative to changes in the contract, which

shall be in the following form:

2. No statement made by the applicant for insurance, not included herein, shall avoid the policy or be used in any legal proceeding hereunder. No agent has authority to change this policy or to waive any of its provisions. No change in this policy shall be valid unless approved by an executive officer of the company and

such approval be endorsed hereon.

(3) A standard provision relative to reinstatement of policy after lapse which may be in either of the three following forms: Form (A) to be used in policies which insure only against loss from accident; form (B) to be used in policies which insure only against loss from sickness; and form (C) to be used in policies which insure against loss from both accident and sickness.

(A) 3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the company or by any of its duly authorized agents, shall reinstate the policy, but only to cover loss resulting from accidental injury thereafter sustained.

(B) 3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the company or by any of its duly authorized agents shall reinstate the policy but only to cover such sickness as may begin more than ten

days after the date of such acceptance.

(C) 3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the company or by any of its duly authorized agents shall reinstate the policy but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of

such acceptance.

(4) A standard provision relative to time of notice of claim, which may be in either of the three following forms: Form (A) to be used in policies which insure only against loss from accident; form (B) to be used in policies which insure only against loss from sickness; and form (C) to be used in policies which insure against loss from both accident and sickness. If form (A) or form (C) is used the company may at its option add thereto the following sentence: "In event of accidental death immediate notice thereof must be given to the company."

(A) 4. Written notice of injury on which claim may be based must be given to the company within twenty days after the date

of the accident causing such injury.

(B) 4. Written notice of sickness on which claim may be based must be given to the company within ten days after the commencement of the disability from such sickness.

Reinstatement.

Acceptance of pre-mium after default.

Time of notice of claim

(C) 4. Written notice of injury or of sickness on which claim may be based must be given to the company within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness.

(5) A standard provision relative to sufficiency of notice of claim Sufficiency of notice which shall be in the following form and in which the company shall insert in the blank space such office and its location as it may desire

to designate for such purpose of notice:

5. Such notice given by, or in behalf of the insured or beneficiary as the case may be, to the company at ______, or _____, or ______, (Full address)

to any authorized agent of the company, with particulars sufficient to identify the insured, shall be deemed to be notice to the company. Failure to give notice, within the time provided in this policy, shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon

as was reasonably possible.

(6) A standard provision relative to furnishing forms for the proof of loss.

Forms in submitting proof of loss.

convenience of the insured in submitting proof of loss as follows:
6. The company, upon receipt of such notice, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not so furnished within fifteen days after receipt of such notice, the claimant shall be deemed to have complied with the requirements of this policy, as to proof of loss, upon submitting within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, character, and extent of the loss for which claim is made.

(7) A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate

to the indemnities provided:

(A) 7. Affirmative proof of loss must be furnished to the company at its said office within ninety days after the date of the loss for which claim is made.

(B) 7. Affirmative proof of loss must be furnished to the company at its said office within ninety days after the termination of the

period of disability for which the company is liable.

(C) 7. Affirmative proof of loss must be furnished to the company at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the company is liable, and in case of claim for any other loss, within ninety days after date of such loss.

(8) A standard provision relative to examination of the person of the insured and relative to autopsy which shall be in the following

8. The company shall have the right and opportunity to examine the person of the insured, when and so often as it may reasonably require during the pendency of claim hereunder; and also the right and opportunity, in the case of death, to have autopsy performed,

where it is not forbidden by law.

(9) A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made, which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability. The company shall insert in the blank space either the word "immediately" or appropriate language to designate such period of time, not more than sixty days, as it may desire, form (A) to be used in policies which do not provide indemnity for loss of time on account of disability and form (B) to be used in policies which do so provide.

Filing proof of loss.

Examination of in-sured; autopsy.

Payments.

Periodical payments

of indemnity on account of disability.

- (A) 9. All indemnities provided in this policy will be paid _____ after receipt of due proof. (Indicate time)
- (B) 9. All indemnities provided in this policy for loss other than that of time on account of disability will be paid _______(Indicate time)

after receipt of due proof.

(10) A standard provision relative to periodical payments of indemnity for loss of time on account of disability, which provisions shall be in the following form, and which may be omitted from any policy not providing for such indemnity. The company shall insert, in the first blank space of the form, appropriate language to designate the proportion of accrued indemnity it may desire to pay, which proportion may be all or any part not less than one half; and in the second blank space shall insert any period of time not exceeding

sixty days.

10. Upon request of the insured and subject to due proof of loss

____ accrued indemnity for loss of time on (within time to be inserted)

account of disability will be paid at the expiration of each during the continuance of the period

for which the company is liable, and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof.

Indemnity payments to beneficiary.

- (11) A standard provision relative to indemnity payments which may be in either of the two following forms: Form (A) to be used in policies which designate a beneficiary and form (B) to be used in policies which do not designate any beneficiary other than the insured.
- (A) 11. Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured, and otherwise to the estate of the insured. All other indemnities of this policy are payable to the insured.
- (B) 11. All the indemnities of this policy are payable to the

Cancelation of policy at instance of insured.

(12) A standard provision providing for cancelation of the policy at the instance of the insured which shall be in the following form:

12. If the insured shall at any time change his occupation to one classified by the company as less hazardous than that stated in the policy, the company, upon written request of the insured and surrender of the policy, will cancel the same and will return to the insured the unearned premium.

Rights of beneficiary.

(13) A standard provision relative to the rights of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary.

13. Consent of the beneficiary shall not be requisite to surrender

or assignment of this policy, or to change of beneficiary, or to any

other changes in the policy.

(14) A standard provision limiting the time within which suit may be brought upon the policy as follows:

14. No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of loss has been filed in accordance with the requirements of this policy, nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy.

Time within which suit may be brought.

(15) A standard provision relative to time limitations of the

policy as follows:

15. If any time limitation of this policy, with respect to giving notice of claim or furnishing proof of loss, is less than that permitted by the law of the State in which the insured resides at the time this policy is issued, such limitation is hereby extended to agree with the

minimum period permitted by such law.

(d) No such policy shall be so issued or delivered which contains any provision (1) relative to cancelation at the instance of the company; or (2) limiting the amount of indemnity to a sum less than the amount stated in the policy and for which the premium has been paid; or (3) providing for the deduction of any premium from the amount paid in settlement of claim; or (4) relative to other insurance by the same company; or (5) relative to the age limits of the policy; unless such provisions, which are hereby designated as optional standard provisions, shall be in the words and in the order in which they are hereinafter set forth, but the company may at its option omit from the policy any such optional standard provision. Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in subdivision (c) of this section.

(1) An optional standard provision relative to cancelation of the Cancelation of policy

policy at the instance of the company as follows:

16. The company may cancel this policy at any time by written notice delivered to the insured or mailed to his last address, as shown by the records of the company, together with cash or the company's check for the unearned portion of the premiums actually paid by the insured, and such cancelation shall be without prejudice

to any claim originating prior thereto.

(2) An optional standard provision relative to reduction of the Reduction of amount amount of indemnity to a sum less than that stated in the policy as

follows

17. If the insured shall carry with another company, corporation, association, or society other insurance covering the same loss without giving written notice to the company, then in that case the company shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loss, and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined.

(3) An optional standard provision relative to deduction of pre-

mium upon settlement of claim as follows:

(18) Upon the payment of claim hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom.

(4) An optional standard provision relative to other insurance other insurance by by the same company which shall be in such one of the following forms as may be appropriate to the indemnities provided, and in the blank space of which the company shall insert such upward limits of indemnity as are specified by the company's classification of risks, filed as required by this section.

(A) 19. If a like policy or policies, previously issued by the company to the insured, be in force concurrently herewith, making the aggregate indemnity in excess of \$______, the excess insurance shall be void and all premiums paid for such excess shall be

returned to the insured.

(B) 19. If a like policy or policies, previously issued by the company to the insured, be in force concurrently herewith, making the

Limitation of policy

aggregate indemnity for loss of time on account of disability in excess \$_____ weekly, the excess insurance shall be void and all

premiums paid for such excess shall be returned to the insured.
(C) 19. If a like policy or policies, previously issued by the company to the insured, be in force concurrently herewith, making the aggregate indemnity for loss other than that of time on account of disability in excess of \$_____ or the aggregate indemnity for loss of time on account of disability in excess of \$_____

(Amount to be inserted) weekly, the excess insurance of either kind shall be void and all pre-

miums paid for such excess shall be returned to the insured.

(5) An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the company shall insert such numbers of years as it may elect.

20. The insurance under this policy shall not cover any person under the age of _____ years nor over the age of ____ years. Any

premium paid to the company for any period not covered by this policy will be returned upon request.

(e) No such policy shall be so issued or delivered if it contains any provision contradictory, in whole or in part, of any of the provisions hereinbefore in this section designated as "standard provisions" or as "optional standard provisions"; nor shall any endorsements or attached papers vary, alter, extend, be used as a substitute for, or in any way conflict with any of the said "standard provisions" or the said "optional standard provisions"; nor shall such policy be so issued or delivered if it contains any provision purporting to make any portion of the charter, constitution, or bylaws of the company a part of the policy unless such portion of the charter, constitution, or bylaws shall be set forth in full in the policy, but this

prohibition shall not be deemed to apply to any statement of rates or classification of risks filed with the Superintendent in accordance with the provisions of this section.

(f) The falsity of any statement in the application for any policy covered by this section shall not bar the right to recovery thereunder unless such false statement was made with actual intent to deceive or unless it materially affected either the acceptance of the risk or

the hazard assumed by the company.

(g) The acknowledgment by a company of the receipt of notice given under any policy covered by this section, or the furnishing of forms for filing proofs of loss, or the acceptance of such proofs, or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the company in defense of any claim

arising under such policy.

(h) No alteration of any written application for insurance by erasure, insertion, or otherwise shall be made by any person other than the applicant without his written consent, and the making of any such alteration without the consent of the applicant shall be a misdemeanor. If such alteration shall be made by any officer of the company, or by any employee of the company with the company's knowledge or consent, then such act shall be deemed to have been performed by the company thereafter issuing the policy upon such altered application.

(i) A policy issued in violation of this section shall be held valid but shall be construed as provided in this section and when any provision in such a policy is in conflict with any provision of this section the rights, duties, and obligations of the company, the policy-

Age limits of policy.

containing Policy contradictory, etc., pro-visions, issue prohib-ited.

False statement in application.

Rights of company in defense of claim not waived by acknowledgements, etc.

Alterations in written application.

Construction of policy issued in violation of section.

holder, and the beneficiary shall be governed by the provisions of this section.

(j) The policies of insurance against accidental bodily injury or (j) The policies of insurance against accidental bodily injury or laws, etc. may be insickness issued by a company not organized under the laws of the cluded in policy. District may contain, when issued in the District, any provision which the law of the State, Territory, or District of the United States under which the company is organized prescribes for insertion in such policies, and the policies of insurance against accidental bodily injury or sickness issued by a company organized under the laws of the District may contain, when issued or delivered in any other State, Territory, District, or country, any provision required by the laws of the State, Territory, District, or country in which the same are issued, anything in this section to the contrary

notwithstanding.

(k) (1) Nothing in this section, however, shall apply to or affect Policy to which section not applicable. any policy of liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any employer, whether a corporation, copartnership, association, or individual or to any police or fire department, underwriters corps, salvage bureau, or to any association of fifty or more members having a constitution or bylaws and formed in good faith for purposes other than that of obtaining insurance, where not less than 75 per centum of the members or employees are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy.

(2) Nothing in this section shall apply to or in any way affect supplemental concontracts supplemental to contracts of life or endowment insurance where such supplemental contracts contain no provisions except such as operate to safeguard such insurance against lapse or to provide a special surrender value therefor in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness: Provided, That no such supplemental contract shall be issued or delivered to any person in the District unless and until a copy of the form thereof has been submitted to and approved by the Superintendent under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their

submission to and approval by him.

(3) The provisions of this section contained in clause (5) of subdivision (b) and clauses (2), (3), and (12) of subdivision (c) may be omitted from railroad-ticket policies sold only at railroad

stations, or at railroad ticket offices by railroad employees.

(1) Any company, or other insurer, or any officer or agent thereof, which or who issues or delivers to any person in the District any policy in violation of the provisions of this section, shall be punished. upon conviction, by a fine of not more than \$500 for each offense, and the Superintendent may revoke the certificate of authority of any company, corporation, association, society, or other insurer of any State or country, or the license of the agent thereof, which or who violates any provisions of this section.

(m) The term "indemnity", as used in this section, means benefits "Indemnity,"

SEC. 13. STOCK OPERATIONS AND ADVISORY BOARD CONTRACTS PRO- Stock operations advisory board HIBITED.—No life company doing business in the District shall issue tracts, prohibited. in the District, nor permit its general agents, agents, officers, solicitors or employees to issue or deliver in the District, agency company stock or other capital stock, or benefit certificates or shares in any

Provisions of State

Proviso. Approval of form.

Railroad ticket policies.

Penalty provisions.

common-law corporation, or securities or any special or advisory board or other contracts of any kind promising returns and profits as an inducement to insure; and no life company shall be authorized to do business in the District which issues or permits its general agents, agents, officers, solicitors or employees to issue in the District or in any State or Territory agency company stock or other capital stock, or benefit certificates or shares in any common-law corporations, or securities or any special advisory board or other contracts of any kind promising returns and profits as an inducement to insurance; and no corporation or stock company acting as agent of a life company nor any of its general agents, agents, officers, solicitors, or employees shall be permitted to sell, agree, or offer to sell, or give or offer to give, directly or indirectly, in any manner whatsoever, any share of stock, securities, bonds, or agreement of any form or nature promising returns and profits as an inducement to insurance or in connection therewith. It shall be the duty of the Superintendent, upon due proof after notice and hearing that any such company or agent thereof has violated any of the provisions of this section, to revoke the authority of the company or agent so offending: Provided, however, That the action of the Superintendent in this regard shall be subject to appeal and review in the form and manner prescribed in section 28.

Proviso.
Appeals.

Misrepresentations prohibited.

Proviso. Appeals.

Discriminations prohibited.

Sec. 14. Misrepresentations prohibited.—No life company doing business in the District, and no officer, director, general agent, agent, or solicitor thereof, broker or any other person shall make, issue, or circulate, or cause to be issued or circulated, any estimate, illustration, circular, or statement of any sort misrepresenting the terms of any policy issued or to be issued by it or the benefits or advantages promised thereby, or the dividends or shares of the surplus to be received thereon, or shall use any name or title of any policy or class of policies misrepresenting the true nature thereof. Nor shall any such corporation or officer, director, general agent, agent, or solicitor thereof, broker or any other person, firm, association, or corporation make any misrepresentation to any person insured in any company for the purpose of inducing or tending to induce a policyholder in any company to lapse, forfeit, or surrender his insurance. It shall be the duty of the Superintendent, upon due proof after notice and hearing that any such company or agent thereof has violated any of the provisions of this section, to revoke the authority of the company or agent so offending: Provided, however, That the action of the Superintendent in this regard shall be subject to appeal and review in the form and manner prescribed in section 28.

Sec. 15. Discriminations prohibited.—No life insurance corporation doing business in the District shall make or permit any discriminations between individuals of the same class or of equal expectation of life, in the amount of payment or return of premiums or rates charged for policies of insurance, including endowment policies and annuity contracts, or in the dividends or other benefits payable thereon, or in any of the terms or conditions of the policy; nor shall any such company permit or agent thereof offer to make any contract of insurance, endowment policy, or annuity contract, or agreement as to such contracts other than as plainly expressed in the policy issued thereon, nor shall any such company or officer, agent, solicitor, or representative thereof pay, allow, or give, or offer to pay, allow, or give, directly or indirectly, as inducement to any person to insure, or give, sell, or purchase, or offer to give, sell, or purchase as such inducement or in connection with such insurance, endowment policy, or annuity contract, any stocks, bonds or other securities of any insurance company or other corporation, association or partner-

ship, or any dividends or profit accruing thereon, or any valuable consideration or inducement whatever not specified in the policy, nor shall any person knowingly receive any such inducement, any rebate of premium, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any paid employment or contract for services of any kind or any valuable consideration or inducement whatever, not specified in the policy. No person shall be excused from attending and testifying and producing any books, papers, or other documents before any court or magistrate, upon any investiga-tion, proceeding, or trial for a violation of any of the provisions of this section, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to convict him of a crime or subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him upon any criminal investigation or proceeding. Nothing in this section shall be so construed as to forbid a company, transacting industrial life insurance, from returning to policyholders, who have made premium payments for a period of at least one year, directly to the company at its home or distant offices, a percentage of such a premium which the company would have paid for the collection thereof.

LIFE INSURANCE.—When a policy of insurance, whether heretofore or policies of life insurance another life in favor of some person other than him and beneficiaries under policies of life insurance. insurable interest therein, or, except in cases of transfer with intent to defraud creditors, if a policy of life insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof other than the insured or the person so effecting such insurance, or his executors or administrators, shall be entitled to its proceeds and avail against the creditors and representatives of the insured and of the person effecting such insurance whether or not the right to change the beneficiary is reserved or permitted and whether or not the policy is made payable to the person whose life is insured, if the beneficiary or assignee shall predecease such person: *Provided*, That subject to the statute of limitations the amount of any premiums for said insurance paid with intent to defraud ums to defraud creditors, with interest thereon, shall inure to their benefit from the tors. proceeds of the policy, but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice by or in behalf of a creditor of a claim to recover for transfer made or premiums paid with intent to defraud creditors with specifications of the amount claimed.

Sec. 16 (a) Exemption of disability insurance from execution of disability insurance from trion.—No money or other benefit paid, provided, allowed, or agreed execution. to be paid by any company on account of the disability from injury or sickness of any insured person shall be liable to execution, attachment, garnishment, or other process, or to be seized, taken, appropriated or applied by any legal or equitable process or operation of law, to pay any debt or liability of such insured person whether such debt or liability was incurred before or after the commencement of such disability, but the provisions of this section shall not affect the assignability of any such disability benefit otherwise assignable, nor shall this section apply to any money income disability benefit in an action to recover for necessaries contracted for

after the commencement of the disability covered by the disability clause or contract allowing such money income benefit.

Of group life insurance.

Sec. 17. Exemption of group life insurance, nor the proceeds thereof when paid to any employee or employees thereunder, shall be liable to attachment, garnishment, or other process, or to be seized, taken, appropriated, or applied by any legal or equitable process or operation of law, to pay any debt or liability of such employee, or his beneficiary, or any other person who may have a right thereunder, either before or after payment; nor shall the proceeds thereof, when not made payable to a named beneficiary, constitute a part of the estate of the employee for the payment of his debts.

False statements.

SEC. 18. FALSE STATEMENTS.—Any agent, broker, examining physician, or other person who shall knowingly or willfully make any false or fraudulent statement or representation in or with reference to any application for life insurance, or who shall make any such statement for the purpose of obtaining any fee, commission, money. or benefit from or in any company transacting business under this Act shall be guilty of a misdemeanor.

Proceeds of certain policies to be held in trust by company.

Sec. 19. Proceeds of Certain policies to be held in trust by life company.—Any life company licensed under the laws of the District shall have power to hold the proceeds of any policy issued by it under a trust or other agreement upon such terms and restrictions as to revocation by the policyholder and control by beneficiaries and with such exemptions from the claims of creditors or beneficiaries other than the policyholder as shall have been agreed to in writing by such company and the policyholder. Such insurance company shall not be required to segregate funds so held, but may hold them as a part of its general corporate assets.

When actual premium for life policy is less than net premium.

as a part of its general corporate assets.

Sec. 20.—When actual premium for life policy is less than net premium.—When the actual premium charged for an insurance policy by any company is less than the net premium on the basis adopted by the company for the valuation of such policy under chapter V, section 1 of this Act, such company shall be charged as a separate liability with a deficiency reserve equal to the total present value of the future deficiencies in the actual premium calculated according to the table of mortality and rate of interest employed by the company for the valuation of such policy.

Penalties; Constitu-

CHAPTER VI—PENALTIES; CONSTITUTIONALITY

Sec. 1. Penalties; constitutionality.

Sec. 2. Testimony; production of books.

Sec. 3. Constitutionality.

Sec. 4. Repeals.

Sec. 5. Effective date of act.

Penalty provisions.

Section 1. Penalties; constitutionality.—Any person, partnership, or company who violates any of the provisions of this Act, or fails to comply with any duty imposed upon him or it by any provision of this Act, for which violation or failure no penalty is elsewhere provided by the laws of the District, shall be fined not exceeding \$500 for each and every violation.

Testimony; production of books. exceeding \$500 for each and every violation.

Sec. 2. Testimony; production of books.—No person shall be excused from testifying or from producing books, accounts, and papers in any proceeding based upon or growing out of any violation of the provisions of this Act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty or

forfeiture; but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may have testified or produced any documentary evidence: Provided, That no person so testifying shall be exempted from prosecution or punishment for perjury: *Provided further*, That the immunity hereby conferred shall extend only to a natural person who, in obedience to a subpena, gives testimony under oath or produces evidence, documentary or otherwise, under oath.

SEC. 3. Constitutionality.—Should any section or provision of this Act be decided by the courts to be unconstitutional or invalid, the validity of the Act as a whole or of any part thereof other than the part decided to be unconstitutional shall not be affected.

Sec. 4. Repeals.—All laws or parts of laws, insofar as they relate to life insurance companies and the conduct of life insurance business, and in conflict with any of the provisions of this Act, are hereby repealed.

Sec. 5. Effective date of act.—This Act shall become effective immediately upon passage and approval.

Approved, June 19, 1934.

[CHAPTER 673.]

AN ACT

To amend section 766 of the Revised Statutes, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 766 of the Revised Statutes, as amended, be, and it is hereby, further amended so as to read as follows:

"Pending the proceedings or appeal in the cases mentioned in the three preceding sections, and until final judgment therein, and after during pendency of action in State court. final judgment of discharge, any proceeding against the person so imprisoned and confined or restrained of his liberty, in any State court, or by or under the authority of any State, for any matter so heard and determined, or in process of being heard and determined, under such writ of habeas corpus, may be stayed by a judge of any court of the United States in which are pending any such proceedings or appeal. After the granting of such a stay any such proceeding in any State court, or by or under the authority of any State, subsequent thereto pending the final adjudication of such habeas corpus proceedings in the court of the United States shall be deemed null and void. If no such stay is granted, any such proceeding in any State court, or by or under the authority of any State, shall be as valid and of as full force and effect as if no proceedings or appeal in the cases mentioned in the three preceding sections were pending in any court of the United States. No such appeal shall be had or allowed unless taken within three months after the date of the judgment or order complained of. Any proceeding, except final judgment or execution thereof, heretofore taken in any State court, or by or under the authority of any State, for any matter heard and determined, or in process of being heard and determined, in any proceeding or appeal in the cases mentioned in the three preceding sections now pending in any court of the United States, shall be as valid and of as full force and effect as if no such proceedings or appeal had been pending in any court of the United States at the time such proceeding was taken."

Approved, June 19, 1934.

Proviso. Perjury.

Constitutionality.

Repeals.

Effective date.

June 19, 1934. [H.R. 9547.] [Public, No. 437.]

United States courts. R.S., sec. 766, p. 144, U.S.C., p. 914.

Appeals.

[CHAPTER 674.]

AN ACT

June 19, 1934 [H.R. 9745.] [Public, No. 438.]

To authorize the Secretary of the Treasury to purchase silver, issue silver certificates, and for other purposes.

Declaration of policy.

Ante, p. 342. Ante, p. 2.

Purchase of: rates. terms, etc.

Provisos. Excessive price.

Purchase price, in continental United States on May 1, 1934.

Sales, when author-

Silver certificates. Issue of, denomina-tions; restriction.

Certificates legal tender.

Redemption.

Transactions in silver, regulation of.

Penalty for violations of licensing provisions.

Be it enacted by the Senate and House of Representatives of the Silver Purchase Act United States of America in Congress assembled, That the short title of this Act shall be the "Silver Purchase Act of 1934."

SEC. 2. It is hereby declared to be the policy of the United States that the proportion of silver to gold in the monetary stocks of the United States should be increased, with the ultimate objective of having and maintaining, one fourth of the monetary value of such stocks in silver.

Sec. 3. Whenever and so long as the proportion of silver in the stocks of gold and silver of the United States is less than one-fourth of the monetary value of such stocks, the Secretary of the Treasury is authorized and directed to purchase silver, at home or abroad, for present or future delivery with any direct obligations, coin, or currency of the United States, authorized by law, or with any funds in the Treasury not otherwise appropriated, at such rates, at such times, and upon such terms and conditions as he may deem reasonable and most advantageous to the public interest: Provided, That no purchase of silver shall be made hereunder at a price in excess of the monetary value thereof: And provided further, That no purchases of silver situated in the continental United States on May 1, 1934, shall be made hereunder at a price in excess of 50 cents a fine ounce.

SEC. 4. Whenever and so long as the market price of silver exceeds its monetary value or the monetary value of the stocks of silver is greater than 25 per centum of the monetary value of the stocks of gold and silver, the Secretary of the Treasury may, with the approval of the President and subject to the provisions of section 5, sell any silver acquired under the authority of this Act, at home or abroad, for present or future delivery, at such rates, at such times, and upon such terms and conditions as he may deem reasonable and most advantageous to the public interest.

Sec. 5. The Secretary of the Treasury is authorized and directed to issue silver certificates in such denominations as he may from time to time prescribe in a face amount not less than the cost of all silver purchased under the authority of section 3, and such certificates

Bullion reserves, shall be placed in actual circulation. There shall be maintained in the Treasury as security for all silver certificates heretofore or hereafter issued and at the time outstanding an amount of silver in bullion and standard silver dollars of a monetary value equal to be the face amount of such silver certificates. All silver certificates heretofore or hereafter issued shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues, and shall be redeemable on demand at the Treasury of the United States in standard silver dollars; and the Secretary of the Treasury is authorized to coin standard silver dollars for such redemption.

SEC. 6. Whenever in his judgment such action is necessary to effectuate the policy of this Act, the Secretary of the Treasury is authorized, with the approval of the President, to investigate, regulate, or prohibit, by means of licenses or otherwise, the acquisition, importation, exportation, or transportation of silver and of contracts and other arrangements made with respect thereto; and to require the filing of reports deemed by him reasonably necessary in connection therewith. Whoever willfully violates the provisions of any license, order, rule, or regulation issued pursuant to the authorization contained in this section shall, upon conviction, be fined not more than \$10,000 or, if a natural person, may be imprisoned for not more than

ten years, or both; and any officer, director, or agent of any corporation who knowingly participates in such violation may be punished

by a like fine, imprisonment, or both.

Sec. 7. Whenever in the judgment of the President such action Executive order regularing silver delivery is necessary to effectuate the policy of this Act, he may by Executive to Treasury. order require the delivery to the United States mints of any or all silver by whomever owned or possessed. The silver so delivered shall be coined into standard silver dollars or otherwise added to the monetary stocks of the United States as the President may determine; and there shall be returned therefor in standard silver dollars, or any other coin or currency of the United States, the monetary Seignlorage, etc., devalue of the silver so delivered less such deductions for seigniorage, brassage, coinage, and other mint charges as the Secretary of the Treasury with the approval of the President shall have determined: *Provided*, That in no case shall the value of the amount returned therefor be less than the fair value at the time of such order of the must be fair market silver required to be delivered as such value is determined by the market price over a reasonable period terminating at the time of such order. The Secretary of the Treasury shall pay all necessary costs of the transportation of such silver and standard silver dollars, coin, or currency, including the cost of insurance, protection, and such other incidental costs as may be reasonably necessary. Any silver withheld in violation of any Executive order issued under this section or of any regulations issued pursuant thereto shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law; and, in addition, any person failing to comply with the provisions of any such Executive order or regulation shall be subject to a penalty equal to twice the monetary value of the silver in respect of which such failure occurred.

SEC. 8. Schedule A of title VIII of the Revenue Act of 1926, as amended (relating to stamp taxes), is amended by adding at the end 47, p. 275.

thereof a new subdivision to read as follows:

"10. Silver, and so forth, sales and transfers.—On all transfers of any interest in silver bullion, if the price for which such interest is or is to be transferred exceeds the total of the cost thereof and allowed expenses, 50 per centum of the amount of such excess. On Transfer stamps; every such transfer there shall be made and delivered by the transferor to the transferee a memorandum to which there shall be affixed lawful stamps in value equal to the tax thereon. Every such memorandum shall show the date thereof, the names and addresses of the transferor and transferee, the interest in silver bullion to which it refers, the price for which such interest is or is to be transferred and the cost thereof and the allowed expenses. Any person liable lion without stamp for payment of tax under this subdivision (or anyone who acts in affixed memorandum. the matter as agent or broker for any such person) who is a party to any such transfer, or who in pursuance of any such transfer delivers any silver bullion or interest therein, without a memorandum stating truly and completely the information herein required, or who delivers any such memorandum without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding \$1,000 or be imprisoned not more than six months, or both. Stamps affixed under this subdivision shall be canceled (in lieu of the manner provided in section 804) by such officers and in such manner as regulations under this subdivision shall prescribe. Such officers shall cancel such stamps only if it appears that the proper tax is being paid, and when stamps with respect to any transfer are so canceled, the transferor and not the

Coinage.

Proviso. Amount value.

Expenses.

Hoarding.

Penalties.

Penalty.

Canceling stamps. Vol. 44, p. 100.

Liability.

Expenses allowed.

Provisions of general

Terms construed. "Cost."

fer shall not apply.

"Transfer."

transferee shall be liable for any additional tax found due or penalty with respect to such transfer. The Commissioner shall abate or refund, in accordance with regulations issued hereunder, such portion of any tax hereunder as he finds to be attributable to profits (1) realized in the course of the transferor's regular business of furnishing silver bullion for industrial, professional, or artistic use and (a) not resulting from a change in the market price of silver bullion, or (b) offset by contemporaneous losses incurred in transactions in interests in silver bullion determined, in accordance with such regula-Losses attributable tions, to have been specifically related hedging transactions; or (2) offset by contemporaneous losses attributable to changes in the market price of silver bullion and incurred in transactions in silver foreign exchange determined, in accordance with such regulations, to have been hedged specifically by the interest in silver bullion The provisions of this subdivision shall extend to all transfers in the United States of any interest in silver bullion, and to all such transfers outside the United States if either party thereto is a resident of the United States or is a citizen of the United States who has been a resident thereof within three months before the date of the transfer or if such silver bullion or interest therein is situated in the United States; and shall extend to transfers to the United States Government (the tax in such cases to be payable by the transferor), but shall not extend to transfers of silver bullion by deposit or delivery at a United States mint under proclamation by the President or in compliance with any Executive order issued pursuant to section 7 of the Silver Purchase Act of 1934. The tax under this subdivision on transfers enumerated in subdivision 4 shall be in Transfer tax to be ad-addition to the tax under such subdivision. This subdivision shall apply (1) with respect to all transfers of any interest in silver bullion after the enactment of the Silver Purchase Act of 1934, and (2) with respect to all transfers of any interest in silver bullion on or after May 15, 1934, and prior to the enactment of the Silver Purchase Act of 1934, except that in such cases it shall be paid by the transferor in such manner and at such time as the Commissioner, with the approval of the Secretary of the Treasury, may by regulations prescribe, and the requirement of a memorandum of such trans-

> "As used in this subdivision— "The term 'cost' means the cost of the interest in silver bullion to the transferor, except that (a) in case of silver bullion produced from materials containing silver which has not previously entered into industrial, commercial, or monetary use, the cost to a transferor who is the producer shall be deemed to be the market price at the time of production determined in accordance with regulations issued hereunder; (b) in the case of an interest in silver bullion acquired by the transferor otherwise than for valuable consideration, the cost shall be deemed to be the cost thereof to the last previous transferor by whom it was acquired for a valuable consideration; and (c) in the case of any interest in silver bullion acquired by the transferor (after April 15, 1934) in a wash sale, the cost shall be deemed to be the cost to him of the interest transferred by him in such wash sale, but with proper adjustment, in accordance with regulations under this subdivision, when such interests are in silver bullion for delivery at different times.

> "The term 'transfer' means a sale, agreement of sale, agreement to sell, memorandum of sale or delivery of, or transfer, whether made by assignment in blank or by any delivery, or by any paper or agreement or memorandum or any other evidence of transfer or sale; or means to make a transfer as so defined.

"The term 'interest in silver bullion' means any title or claim to, "Interest in silver bullion."

or interest in, any silver bullion or contract therefor.
"The term 'allowed expenses' means usual and necessary expenses actually incurred in holding, processing, or transporting the interest in silver bullion as to which an interest is transferred (including storage, insurance, and transportation charges but not including interest, taxes, or charges in the nature of overhead), determined in accordance with regulations issued hereunder.

"The term 'memorandum' means a bill, memorandum, agreement,

or other evidence of a transfer.
"The term 'wash sale' means a transaction involving the transfer of an interest in silver bullion and, within thirty days before or after such transfer, the acquisition by the same person of an interest in silver bullion. Only so much of the interest so acquired as does not exceed the interest so transferred, and only so much of the interest so transferred as does not exceed the interest so acquired, shall be deemed to be included in the wash sale.

"The term 'silver bullion' means silver which has been melted, smelted, or refined and is in such state or condition that its value depends primarily upon the silver content and not upon its form."

SEC. 9. The Secretary of the Treasury is hereby authorized to issue, with the approval of the President, such rules and regulations as the Secretary of the Treasury may deem necessary or proper to carry out the purposes of this Act, or of any order issued hereunder.

Sec. 10. As used in this Act-The term "person" means an individual, partnership, association,

or corporation;

The term "the continental United States" means the States of the United States, the District of Columbia, and the Territory of

The term "monetary value" means a value calculated on the basis of \$1 for an amount of silver or gold equal to the amount at the time contained in the standard silver dollar and the gold dollar,

respectively;
The term "stocks of silver" means the total amount of silver at the time owned by the United States (whether or not held as security for outstanding currency of the United States) and of silver contained in coins of the United States at the time outstanding;

The term "stocks of gold" means the total amount of gold at the

time owned by the United States, whether or not held as a reserve or as security for any outstanding currency of the United States.

Sec. 11. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000, which shall be available for expenditure under the direction of the President and in his discretion, for any purpose in connection with the carrying out of this Act; and there are hereby authorized to be Annual sums authorized. appropriated annually such additional sums as may be necessary for such purposes.

Sec. 12. The right to alter, amend, or repeal this Act is hereby expressly reserved. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons

or circumstances, shall not be affected thereby.

SEC. 13. All Acts and parts of Acts inconsistent with any of the Inconsistent laws repealed. provisions of this Act are hereby repealed, but the authority conferred in this Act upon the President and the Secretary of the Treasury is declared to be supplemental to the authority heretofore

Approved, June 19, 1934, 9 p.m.

"Allowed expenses."

"Memorandum."

"Wash sale."

"Silver bullion."

Rules and regula-tions to be prescribed.

Terms construed. "Person."

"Continental United

"Monetary value."

"Stocks of silver"

"Stocks of gold."

Appropriation Ante, p. 1060.

Rights reserved. Saving provisions.

73d CONGRESS. SESS. II. CHS. 675, 676. JUNE 19, 1934.

[CHAPTER 675.]

JOINT RESOLUTION

June 19, 1934. [S.J. Res. 59.] [Pub. Res., No. 42]

To provide for the expenses of delegates of the United States to the Ninth Pan American Sanitary Conference.

Ninth Pan American Sanitary Conference. Amount for dele-gates, authorized.

Expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, or so much thereof as may be necessary, for the expenses of three delegates of the United States, to be appointed by the President, to the Ninth Pan American Sanitary Conference to be held in 1933 or 1934, at Buenos Aires, Argentina, or at such time and place as may be determined hereafter. The expenses herein provided for shall include the compensation of employees, travel, subsistence, or per diem in lieu of subsistence (notwithstanding the provisions of any other Act), and such miscellaneous and other expenses as the President shall deem proper, to be expended under the direction of the Secretary of State.

Approved, June 19, 1934.

[CHAPTER 676.]

JOINT RESOLUTION

June 19, 1934. [S.J.Res. 131.] [Pub. Res., No. 43.]

Providing for membership of the United States in the International Labor Organization.

International Labor Whereas progress toward the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of international remains and the solution of the problems of th action concerning the welfare of wage earners; and

Whereas the failure of a nation to establish humane conditions of labor is an obstacle in the way of other nations which desire to maintain and improve the conditions in their own countries; and Whereas the United States early recognized the desirability of

international cooperation in matters pertaining to labor and took

part in 1900 in establishing, and for many years thereafter supported, the International Association for Labor Legislation; and Whereas the International Labor Organization has advanced the welfare of labor throughout the world through studies, recommendations, conferences, and conventions concerning conditions of labor; and

Whereas other nations have joined the International Labor Organization without being members of the League of Nations; and

Whereas special provision has been made in the constitution of the International Labor Organization by which membership of the United States would not impose or be deemed to impose any obligation or agreement upon the United States to accept the proposals of that body as involving anything more than recommendations for its consideration: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the Government of the United States of America in the International Labor Organization, which, through its general conference of representatives of its members and through its International Labor Office, collects information concerning labor throughout the world and prepares international conventions for the consideration of member governments with a view to improving conditions of labor.

President authorized o accept membership herein.

SEC. 2. That in accepting such membership the President shall No obligation assumed under covenant assume on behalf of the United States no obligation under the of League of Nations. covenant of the League of Nations.

Approved, June 19, 1934.

[CHAPTER 677.]

JOINT RESOLUTION

To effectuate further the policy of the National Industrial Recovery Act.

June 19, 1934. [H.J.Res. 375.] [Pub. Res., No. 44.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further effectuate the policy of title I of the National Industrial Recovery Act, and in the exercise of the powers therein and herein conferred, the President is authorized to establish a board or boards authorized and directed to investigate issues, facts, practices, or activities of employers or employees in any controversies arising under section 7a of said Act or which are burdening or obstructing, or threatening to burden or obstruct, the free flow of interstate commerce, the salaries, compensation and expenses of the board or boards and necessary employees being paid as provided in section 2 of the National Industrial Recovery Act.

National industrial labor boards. Establishment. Ante, pp. 195, 198.

Sec. 2. Any board so established is hereby empowered, when it shall appear in the public interest, to order and conduct an election by a secret ballot of any of the employees of any employer, to determine by what person or persons or organization they desire to be represented in order to insure the right of employees to organize and to select their representatives for the purpose of collective bargaining Powers.

as defined in section 7a of said Act and now incorporated herein. For the purposes of such election such a board shall have the of witnesses, records, authority to order the production of such pertinent documents or etc.

To order production authority to order the production of such pertinent documents or etc.

The purposes of such election such a board shall have the of witnesses, records, at the appearance of such witnesses to give testimony under oath, as it may deem necessary to carry out the provisions of this resolution. Any order issued by such a board under the authority of this section Board's order. may, upon application of such board or upon petition of the person or persons to whom such order is directed, be enforced or reviewed, as the case may be, in the same manner, so far as applicable, as is provided in the case of an order of the Federal Trade Commission ander the Federal Trade Commission Act.

Sec. 3. Any such board, with the approval of the President, may reference to investigaprescribe such rules and regulations as it deems necessary to carry tions. out the provisions of this resolution with reference to the investigations authorized in section 1, and to assure freedom from coercion in respect to all elections.

Sec. 4. Any person who shall knowingly violate any rule or regulation authorized under section 3 of this resolution or impede or interfere with any member or agent of any board established under this resolution in the performance of his duties, shall be punishable by a fine of not more than \$1,000 or by imprisonment for not more Penalty provision.

than one year, or both.

Sec. 5. This resolution shall cease to be in effect, and any board or boards established hereunder shall cease to exist, on June 16, 1935, or sooner if the President shall by proclamation or the Congress shall by joint resolution declare that the emergency recognized by section 1 of the National Industrial Recovery Act has ended.

Duration.

SEC. 6. Nothing in this resolution shall prevent or impede or abridged. diminish in any way the right of employees to strike or engage in other concerted activities.

Approved, June 19, 1934.

[CHAPTER 687.]

JOINT RESOLUTION

June 20, 1934. [S.J.Res. 138.]

[Pub. Res., No. 45.]

mercial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes" (Public, Numbered 169, Seventy-third Congress), approved April 21, 1934. To amend an Act entitled "An Act to place the cotton industry on a sound com-

Resolved by the Senate and House of Representatives of the Cotton control Act United States of America in Congress assembled, That the Act amended.

Ante, p. 607. entitled "An Act to place the cotton industry on a sound financial basis, to prevent unfair competition and practices in putting cotton into the channels of interstate and foreign commerce, to provide funds for paying additional benefits under the Agricultural Adjustment Act, and for other purposes" (Public, Numbered 169, Seventy-third Congress), approved April 21, 1934, is hereby amended by adding at the end thereof the following new section:

Tax-exemption certificates: issue.

"SEC. 25. (a) No tax-exemption certificates shall be issued to any person not engaged in production of cotton in the crop year during which such certificates are issued.

Surplus cotton; allot-

"(b) Whenever after apportionment under sections 7 and 8 any surplus number of bales remain of the amount allotted to any county under section 5 (b) such surplus bales shall be allotted, in such quantities as the Secretary of Agriculture determines, to such other counties within the State as the Secretary of Agriculture determines have an insufficient allotment. Said bales shall be apportioned, pursuant to sections 7 and 8, within the respective counties to which allotted, but in no case shall any farm receive any of such allotment so as to receive a total allotment in excess of its estimated production for the crop year in which such allotment is made.

Method of computation.

"(c) In computing the production of any State pursuant to section 5 (a) the total production of cotton for such State in the five-year period, 1928–1932, inclusive, shall be used regardless of the length of staple of such production."

Approved, June 20, 1934.

[CHAPTER 688.]

AN ACT

June 21, 1934. [S. 555.] [Public, No. 439.]

To authorize the acquisition by the United States of the land upon which the Seneca Indian School, Wyandotte, Oklahoma, is located.

Be it enacted by the Senate and House of Representatives of the Seneca Indian School, United States of America in Congress assembled, That the Secre-Wyandotte, Okla.
Acquisition of the tary of the Interior be, and he is hereby, authorized to acquire for land of, authorized.

Indian school numbers the east half southwest quarter southeast Indian school purposes, the east half southwest quarter, southeast quarter northwest quarter, east half northwest quarter and west half southwest quarter southeast quarter section 21, township 27 north, range 24 east, Indian meridian, Oklahoma.

Appropriation thorized.

SEC. 2. In order to carry out the provisions of section 1 hereof there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$10,000, which said sum when so appropriated and placed in the Treasury of the United States to the credit of the Wyandotte Credited to Wyan dotte Tribe.

Tribe of Indians, shall operate as a full, complete, and perfect extinguishment of all their right, title, and interest in and to the lands above described and which sum shall be subject to disburse. ment under congressional authority for the benefit of the Wyandotte

Approved, June 21, 1934.

[CHAPTER 689.]

AN ACT

Authorizing the Secretary of the Interior to issue patents to the numbered school sections in place, granted to the States by the Act approved February 22, 1889, by the Act approved January 25, 1927 (44 Stat. 1026), and by any other Act of Congress.

June 21, 1934. [S. 1825.] [Public, No. 440.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall upon the application by a State cause numbered school sections are second sections. patents to be issued to the numbered school sections in place, granted for the support of common schools by the Act approved February 22, 1889, by the Act approved January 25, 1927 (44 Stat. 1026), and by any other Act of Congress, that have been surveyed, or may hereafter be surveyed, and to which title has vested or may hereafter vest in the grantee States and which there are the surveyed and to which the have set been surveyed. to the United States or exchanged with the United States for other limitation, easements, lands. Such patents shall show the date when title vested in the etc State and the extent to which the lands are subject to prior conditions, limitations, easements, or rights, if any. In all inquiries as to the character of the land for which patent is sought the fact shall be determined as of the date when the State's title attached.

Approved, June 21, 1934.

[CHAPTER 690.]

AN ACT

To restore homestead rights in certain cases.

June 21, 1934. [S. 2987.] [Public, No. 441.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter any person who has heretofore made entry under the homestead laws on any lands embraced within any reservation ceded to the United lands.

Public lands. Second homestead entry allowed it former within Indian ceded lands. States by the Indian tribes, and has paid for his land the sum of at least \$1.25 per acre, shall, upon proof of such facts, if otherwise qualified, be entitled to the benefit of the homestead law as though such former entry had not been made; but the provisions of this Act shall not apply to any person who has failed to pay the full was canceled for fraud price for his former entry or whose former entry was canceled for fraud: Provided, That, in making any new homestead entry as authorized by this Act or the prior similar Acts of February 20, 1917 (39 Stat. 926), and February 25, 1925 (43 Stat. 981), such entry shall not include any land to which the Indian title shall not have 43, p. 931. been fully extinguished.

Approved, June 21, 1934.

[CHAPTER 691.]

AN ACT

To amend the Railway Labor Act approved May 20, 1926, and to provide for the prompt disposition of disputes between carriers and their employees.

June 21, 1934. [H.R. 9861.] [Public, No. 442.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Railway Labor Act is amended to read as follows:

Railway Labor Act. Vol. 44, p. 577.

" DEFINITIONS

Definitions.

"Section 1. When used in this Act and for the purposes of this

"First. The term 'carrier' includes any express company, sleeping-car company, carrier by railroad, subject to the Interstate Commerce Act, and any company which is directly or indirectly owned

"Carrier."

Proviso. Street railways ex-cluded. Exception.

Interstate Commerce

"Adjustment Board."

"Mediation Board."

"Commerce."

"Employee."

Proviso. Employee organiza-tions not limited.

"Representative."

"District court."

or controlled by or under common control with any carrier by railroad and which operates any equipment or facilities or performs any service (other than trucking service) in connection with the transportation, receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, and handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the business of any such 'carrier': Provided, however, That the term 'carrier' shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other The Interstate Commerce Commission is hereby motive power. Commission to determine, when requested authorized and directed upon request of the Mediation Board or upon complaint of any party interested to determine after hearing whether any line operated by electric power falls within the terms of this

proviso.
"Second. The term 'Adjustment Board' means the National Railroad Adjustment Board created by this Act.

"Third. The term 'Mediation Board' means the National Media-

tion Board created by this Act.

"Fourth. The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other Territory, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation.

"Fifth. The term 'employee' as used herein includes every

person in the service of a carrier (subject to its continuing authority to supervise and direct the manner of rendition of his service) who performs any work defined as that of an employee or subordinate official in the orders of the Interstate Commerce Commission now in effect, and as the same may be amended or interpreted by orders hereafter entered by the Commission pursuant to the authority which is hereby conferred upon it to enter orders amending or interpreting such existing orders: *Provided*, *however*, That no occupational classification made by order of the Interstate Commerce Commission shall be construed to define the crafts according to which railway employees may be organized by their voluntary action, nor shall the jurisdiction or powers of such employee organizations be regarded as in any way limited or defined by the provisions

of this Act or by the orders of the Commission.

"Sixth. The term 'representative' means any person or persons, labor union, organization, or corporation designated either by a carrier or group of carriers or by its or their employees, to act for it or them.

"Seventh. The term 'district court' includes the Supreme Court "Circuit court of appeals", includes Court of Appeals, District of Columbia, includes the Court of Appeals of the District of Columbia.

"This Act may be cited as the 'Railway Labor Act'."

"This Act may be cited as the Railway Labor Act is amended of the District of Columbia; and the term 'circuit court of appeals'

SEC. 2. Section 2 of the Railway Labor Act is amended to read

as follows:

General purposes.

"GENERAL PURPOSES

To avoid interruption to commerce and to operation of carrier. SEC. 2. The purposes of the Act are: (1) To avoid any interruption operation of carrier engaged therein;

(2) to forbid any limitation upon freedom of association among Freedom of association employees or any denial, as a condition of employment or otherwise, join labor organization. of the right of employees to join a labor organization; (3) to pro- Complete independence of carriers and of employees tion. in the matter of self-organization to carry out the purposes of this Act; (4) to provide for the prompt and orderly settlement of all putes. disputes concerning rates of pay, rules, or working conditions; (5) to provide for the prompt and orderly settlement of all disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, rules, or working conditions.

Settlement of dis-

"GENERAL DUTIES

General duties

"First. It shall be the duty of all carriers, their officers, agents, Agreements by car-and employees to exert every reasonable effort to make and maintain concerning pay, workagreements concerning rates of pay, rules, and working conditions, and to settle all disputes, whether arising out of the application of such agreements or otherwise, in order to avoid any interruption to

commerce or to the operation of any carrier growing out of any dispute between the carrier and the employees thereof.

"Second. All disputes between a carrier or carriers and its or Conferences to speed-their employees shall be considered, and, if possible, decided, with putes. all expedition, in conference between representatives designated and

authorized so to confer, respectively, by the carrier or carriers and by the employees thereof interested in the dispute.

"Third. Representatives, for the purposes of this Act, shall be designated by the respective parties without interference, influence, or coercion by either party over the designation of representatives by the other; and neither party shall in any way interfere with, influence, or coerce the other in its choice of representatives. Representatives of employees for the purposes of this Act need not be persons in the employ of the carrier, and no carrier shall, by interference, influence, or coercion seek in any manner to prevent the designation by its employees as their representatives of those who

or which are not employees of the carrier.

"Fourth. Employees shall have the right to organize and bargain collectively through representatives of their own choosing. majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this Act. No carrier, its officers or agents, shall Interference by cardeny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees, or to use the funds of the carrier in maintaining or assisting or contributing to any labor organization, labor representative, or other agency of collective bargaining, or in performing any work therefor, or to influence or coerce employees in an effort to induce them to join or remain or not to join or remain members of any labor organization, or to deduct from the wages of employees any dues, fees, assessments, or other contributions payable to labor organizations, or to collect or to assist in the collection of any such dues, fees, assessments, or other contributions: Provided, That nothing in this Act shall be construed to prohibit a carrier from permitting an employee, individually, or ployee conferences local representatives of employees from conferring with management during working hours without loss of time, or to prohibit a carrier from furnishing free transportation to its employees while engaged in the business of a labor organization.

Representatives. Designation of.

Rights of employees.

Proviso. Management-em-

Carrier-employee dis-

Conferences.

Provisos. Place.

Time limit.

Rates of employees' pay, etc.

Printed notices to be posted concerning han-dling of disputes.

Embodying provisions in contracts

Mediation Board.

them.

Names of representa-tives to be certified.

Election of represent-

Rules.

Agreements restricting prospective employee's right to affiliate with labor organization.

"Fifth. No carrier, its officers, or agents shall require any person seeking employment to sign any contract or agreement promising to join or not to join a labor organization; and if any such contract has been enforced prior to the effective date of this Act, then such carrier shall notify the employees by an appropriate order that such contract has been discarded and is no longer binding on them in any

way.

"Sixth. In case of a dispute between a carrier or carriers and its or their employees, arising out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions, it shall be the duty of the designated representative or representatives of such carrier or carriers and of such employees, within ten days after the receipt of notice of a desire on the part of either party to confer in respect to such dispute, to specify a time and place at which such conference shall be held: Provided, (1) That the place so specified shall be situated upon the line of the carrier involved or as otherwise mutually agreed upon; and (2) that the time so specified shall allow the designated conferees reasonable opportunity to reach such place of conference, but shall not exceed twenty days from the receipt of such notice: And Agreements in effect provided further, That nothing in this Act shall be construed to not superseded. supersede the provisions of any agreement (as to conferences) then in effect between the parties.

"Seventh. No carrier, its officers or agents shall change the rates of pay, rules, or working conditions of its employees, as a class as embodied in agreements except in the manner prescribed in such

agreements or in section 6 of this Act.

"Eighth. Every carrier shall notify its employees by printed notices in such form and posted at such times and places as shall be specified by the Mediation Board that all disputes between the carrier and its employees will be handled in accordance with the requirements of this Act, and in such notices there shall be printed verbatim, in large type, the third, fourth, and fifth paragraphs of this section. The provisions of said paragraphs are hereby made a part of the contract of employment between the carrier and each employee, and shall be held binding upon the parties,

regardless of any other express or implied agreements between

"Ninth. If any dispute shall arise among a carrier's employees as Investigation of dis- to who are the representatives of such employees designated and authorized in accordance with the requirements of this Act, it shall be the duty of the Mediation Board, upon request of either party to the dispute, to investigate such dispute and to certify to both parties, in writing, within thirty days after the receipt of the invocation of its services, the name or names of the individuals or organizations that have been designated and authorized to represent the employees involved in the dispute, and certify the same to the carrier. Upon receipt of such certification the carrier shall treat with the representative so certified as the representative of the craft or class for the purposes of this Act. In such an investigation, the Mediation Board shall be authorized to take a secret ballot of the employees involved, or to utilize any other appropriate method of ascertaining the names of their duly designated and authorized representatives in such manner as shall insure the choice of representatives by the employees without interference, influence, or coercion exercised by

the carrier. In the conduct of any election for the purposes herein indicated the Board shall designate who may participate in the election and establish the rules to govern the election, or may appoint a committee of three neutral persons who after hearing shall

within ten days designate the employees who may participate in the election. The Board shall have access to and have power to make board to have access to and have power to make to carriers' records, etc. copies of the books and records of the carriers to obtain and utilize such information as may be deemed necessary by it to carry out the purposes and provisions of this paragraph.

"Tenth. The willful failure or refusal of any carrier, its officers or agents to comply with the terms of the third, fourth, fifth, seventh. or eighth paragraph of this section shall be a misdemeanor, and upon conviction thereof the carrier, officer, or agent offending shall be subject to a fine of not less than \$1,000 nor more than \$20,000 or imprisonment for not more than six months, or both fine and imprisonment, for each offense, and each day during which such carrier, officer, or agent shall willfully fail or refuse to comply with the terms of the said paragraphs of this section shall constitute a separate offense. It ceedings. shall be the duty of any district attorney of the United States to whom any duly designated representative of a carrier's employees may apply to institute in the proper court and to prosecute under the direction of the Attorney General of the United States, all necessary proceedings for the enforcement of the provisions of this section. and for the punishment of all violations thereof and the costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States: Provided, That nothing in this Act shall be construed to require an individual sent forbidden. employee to render labor or service without his consent, nor shall anything in this Act be construed to make the quitting of his labor galact by an individual employee an illegal act; nor shall any court issue any process to compel the performance by an individual employee of such labor or service, without his consent."

Sec. 3. Section 3 of the Railway Labor Act is amended to read as

"NATIONAL BOARD OF ADJUSTMENT—GRIEVANCES—INTERPRETATION OF AGREEMENTS

"SEC. 3. First. There is hereby established a Board, to be known National Railroad Adjustment Board', the members of which shall be selected within thirty days after approval of this Act, and it is hereby provided-

"(a) That the said Adjustment Board shall consist of thirty-six Composition; divimembers, eighteen of whom shall be selected by the carriers and eighteen by such labor organizations of the employees, national in scope, as have been or may be organized in accordance with the pro-

visions of section 2 of this Act.

"(b) The carriers, acting each through its board of directors or Manner of selecting carriers' representative. its receiver or receivers, trustee or trustees or through an officer or officers designated for that purpose by such board, trustee or trustees or receiver or receivers, shall prescribe the rules under which its representatives shall be selected and shall select the representatives of the carriers on the Adjustment Board and designate the division on which each such representative shall serve, but no carrier or system of carriers shall have more than one representative on any division of the Board.

"(c) The national labor organizations, as defined in paragraph Method for selecting members of (a) of this section, acting each through the chief executive or other Board. medium designated by the organization or association thereof, shall prescribe the rules under which the labor members of the Adjustment Board shall be selected and shall select such members and designate the division on which each member shall serve; but no labor organization shall have more than one representative on any division of the Board.

Penalty provisions.

Quitting not an ille-

Vol. 44, p. 578.

National Board of Adjustment.

Establishment.

Limitation.

Filling vacancies.

Mediation Board to select representative if none provided.

Labor organization representation.

gation board.

Findings final.

Compensation.

Traveling and subsistence.

Adjustment Board.

tion.

First division.
Jurisdiction over disputes involving train, engine, and yard service.

Second division. Specified mechanical

"(d) In case of a permanent or temporary vacancy on the Adjustment Board, the vacancy shall be filled by selection in the same manner as in the original selection.

"(e) If either the carriers or the labor organizations of the employees fail to select and designate representatives to the Adjustment Board, as provided in paragraphs (b) and (c) of this section, respectively, within sixty days after the passage of this Act, in case of any original appointment to office of a member of the Adjustment Board, or in case of a vacancy in any such office within thirty days after such vacancy occurs, the Mediation Board shall thereupon directly make the appointment and shall select an individual associated in interest with the carriers or the group of labor organizations of

employees, whichever he is to represent.

(f) In the event a dispute arises as to the right of any national labor organization to participate as per paragraph (c) of this section in the selection and designation of the labor members of the Adjustment Board, the Secretary of Labor shall investigate the claim of such labor organization to participate, and if such claim in the judgment of the Secretary of Labor has merit, the Secretary shall notify the Mediation Board accordingly, and within ten days after receipt of such advice the Mediation Board shall request those national labor organizations duly qualified as per paragraph (c) of this section to participate in the selection and designation of the labor members of the Adjustment Board to select a representative. Selection of investi- Such representative, together with a representative likewise designation bearing the selection of investi- Such representative, together with a representative likewise designation of the selection of the s nated by the claimant, and a third or neutral party designated by the Mediation Board, constituting a board of three, shall within thirty days after the appointment of the neutral member, investigate the claims of the labor organization desiring participation and decide whether or not it was organized in accordance with section 2 hereof and is otherwise properly qualified to participate in the selection of the labor members of the Adjustment Board, and the findings of such boards of three shall be final and binding.

"(g) Each member of the Adjustment Board shall be compensated by the party or parties he is to represent. Each third or neutral party selected under the provisions of (f) of this section shall receive from the Mediation Board such compensation as the Mediation Board may fix, together with his necessary traveling expenses and expenses actually incurred for subsistence, or per diem allowance in lieu thereof, subject to the provisions of law applicable

thereto, while serving as such third or neutral party.

"(h) The said Adjustment Board shall be composed of four divi-Divisions and func- sions, whose proceedings shall be independent of one another, and the said divisions as well as the number of their members shall be

as follows:

"First division: To have jurisdiction over disputes involving train- and yard-service employees of carriers; that is, engineers, firemen, hostlers, and outside hostler helpers, conductors, trainmen, and yard-service employees. This division shall consist of ten members, five of whom shall be selected and designated by the carriers and five of whom shall be selected and designated by the national labor

organizations of the employees.

"Second division: To have jurisdiction over disputes involving machinists, boilermakers, blacksmiths, sheet-metal workers, electrical workers, car men, the helpers and apprentices of all the foregoing, coach cleaners, power-house employees, and railroad-shop laborers. This division shall consist of ten members, five of whom shall be selected by the carriers and five by the national labor organizations of the employees.

"Third division: To have jurisdiction over disputes involving station, tower, and telegraph employees, train dispatchers, maintenance-of-way men, clerical employees, freight handlers, express, station, and store employees, signal men, sleeping-car conductors, sleeping-car porters, and maids and dining-car employees. This division shall consist of ten members, five of whom shall be selected by the carriers and five by the national labor organizations of employees.

Fourth division: To have jurisdiction over disputes involving employees of carriers directly or indirectly engaged in transportation group. of passengers or property by water, and all other employees of carriers over which jurisdiction is not given to the first, second, and third divisions. This division shall consist of six members, three of whom shall be selected by the carriers and three by the national labor

organizations of the employees.

(i) The disputes between an employee or group of employees Reference of disputes to Board. and a carrier or carriers growing out of grievances or out of the interpretation or application of agreements concerning rates of pay, rules, or working conditions, including cases pending and unadjusted on the date of approval of this Act, shall be handled in the usual manner up to and including the chief operating officer of the carrier designated to handle such disputes; but, failing to reach an adjustment in this manner, the disputes may be referred by petition of the parties or by either party to the appropriate division of the Adjustment Board with a full statement of the facts and all supporting data bearing upon the disputes.

"(j) Parties may be heard either in person, by counsel, or by other representatives, as they may respectively elect, and the several divisions of the Adjustment Board shall give due notice of all hearings to the employee or employees and the carrier or carriers involved

in any disputes submitted to them.

"(k) Any division of the Adjustment Board shall have authority Delegation of authorto empower two or more of its members to conduct hearings and make findings upon disputes, when properly submitted, at any place designated by the division: *Provided*, however, That final awards as to any such dispute must be made by the entire division as here-

inafter provided.

"(1) Upon failure of any division to agree upon an award because
"Referee" authoromembers, as provided in paragraph (n) of this section, then such division shall forthwith agree upon and select a neutral person, to be known as 'referee', to sit with the division as a member thereof and make an award. Should the division fail to agree upon and select a referee within ten days of the date of the deadlock or named by Mediation inability to secure a majority vote, then the division, or any member inability to secure a majority vote, then the division, or any member thereof, or the parties or either party to the dispute may certify that fact to the Mediation Board, which Board shall, within ten days from the date of receiving such certificate, select and name the referee to sit with the division as a member thereof and make an award. The Mediation Board shall be bound by the same provisions in the Appointment to be appointment of these neutral referees as are provided elsewhere in this Act for the appointment of arbitrators and shall fix and pay the compensation of such referees.

"(m) The awards of the several divisions of the Adjustment ing. Board shall be stated in writing. A copy of the awards shall be furnished to the respective parties to the controversy, and the awards Copies to be furshall be final and binding upon both parties to the dispute, except cision final. insofar as they shall contain a money award. In case a dispute

Third division.
Miscellaneous groups.

Fourth division. Marine equip equipment

Hearings authorized.

Proviso Final awards.

Awards to be in writ-

Majority vote com-etent to making

Execution of award.

Suit in district courts allowed, where carrier fails to comply with Board's order.

Procedure.

Paying court costs.

Attorney's fee allowed petitioner if he prevails.

Powers of enforcement.

Commencement actions at law.

Headquarters of di-visions of Board.

Quarters in Federal building, when prac-ticable.

Employees, etc.

Compensation.

Meeting, organiza-tion, etc., of Adjust-ment Board.

Each division to se-lect chairman, etc.

Interpretation to be arises involving an interpretation of the award the division of the Board upon request of either party shall interpret the award in the light of the dispute.

"(n) A majority vote of all members of the division of the Adjustment Board shall be competent to make an award with respect to any

dispute submitted to it.

(o) In case of an award by any division of the Adjustment Board in favor of petitioner, the division of the Board shall make an order, directed to the carrier, to make the award effective and, if the award includes a requirement for the payment of money, to pay to the employee the sum to which he is entitled under the award on or before a day named.

"(p) If a carrier does not comply with an order of a division of the Adjustment Board within the time limit in such order, the petitioner, or any person for whose benefit such order was made, may file in the District Court of the United States for the district in which he resides or in which is located the principal operating office of the carrier, or through which the carrier operates, a petition setting forth briefly the causes for which he claims relief, and the order of the division of the Adjustment Board in the premises. Such suit in the District Court of the United States shall proceed in all respects as other civil suits, except that on the trial of such suit the findings and order of the division of the Adjustment Board shall be prima facie evidence of the facts therein stated, and except that the petitioner shall not be liable for costs in the district court nor for costs at any subsequent stage of the proceedings, unless they accrue upon his appeal, and such costs shall be paid out of the appropriation for the expenses of the courts of the United States. If the petitioner shall finally prevail he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the The district courts are empowered, under the rules of the court governing actions at law, to make such order and enter such judgment, by writ of mandamus or otherwise, as may be appropriate to enforce or set aside the order of the division of the Adjustment

Board. "(q) All actions at law based upon the provisions of this section shall be begun within two years from the time the cause of action accrues under the award of the division of the Adjustment Board, and not after.

"(r) The several divisions of the Adjustment Board shall maintain headquarters in Chicago, Illinois, meet regularly, and continue in session so long as there is pending before the division any matter within its jurisdiction which has been submitted for its consideration and which has not been disposed of.

"(s) Whenever practicable, the several divisions or subdivisions of the Adjustment Board shall be supplied with suitable quarters

in any Federal building located at its place of meeting.

(t) The Adjustment Board may, subject to the approval of the Mediation Board, employ and fix the compensations of such assistants as it deems necessary in carrying on its proceedings. The compensations of such assistants as it deems necessary in carrying on its proceedings. pensation of such employees shall be paid by the Mediation Board.

"(u) The Adjustment Board shall meet within forty days after the approval of this Act and adopt such rules as it deems necessary to control proceedings before the respective divisions and not in conflict with the provisions of this section. Immediately following the meeting of the entire Board and the adoption of such rules, the respective divisions shall meet and organize by the selection of a chairman, a vice chairman, and a secretary. Thereafter each division shall annually designate one of its members to act as chairman

and one of its members to act as vice chairman: Provided, however, Alternating chairmanship and vice-chairmanship of any division shall manships. alternate as between the groups, so that both the chairmanship and vice-chairmanship shall be held alternately by a representative of the carriers and a representative of the employees. In case of a vacancy, such vacancy shall be filled for the unexpired term by the selection

of a successor from the same group.

"(v) Each division of the Adjustment Board shall annually port annually to Board." prepare and submit a report of its activities to the Mediation Board, and the substance of such report shall be included in the annual report of the Mediation Board to the Congress of the United States. The reports of each division of the Adjustment Board and the annual report of the Mediation Board shall state in detail all cases heard, all actions taken, the names, salaries, and duties of all agencies, employees, and officers receiving compensation from the United States under the authority of this Act, and an account of all moneys appropriated by Congress pursuant to the authority conferred by this Act and disbursed by such agencies, employees, and

officers.

"(w) Any division of the Adjustment Board shall have authority, dinate boards subortin its discretion, to establish regional adjustment boards to act in mitted. Establishing subortin its discretion, to establish regional adjustment boards to act in mitted. its place and stead for such limited period as such division may determine to be necessary. Carrier members of such regional boards shall be designated in keeping with rules devised for this purpose by the carrier members of the Adjustment Board and the labor members shall be designated in keeping with rules devised for this purpose by the labor members of the Adjustment Board. Any such regional board shall, during the time for which it is appointed, have the same authority to conduct hearings, make findings upon disputes and adopt the same procedure as the division of the Adjustment Board appointing it, and its decisions shall be enforceable to the same extent and under the same processes. A neutral person, as Reference referee, shall be appointed for service in connection with any such regional adjustment board in the same circumstances and manner as provided in paragraph (1) hereof, with respect to a division of the Adjustment Board.

"Second. Nothing in this section shall be construed to prevent any Individual agreements not prohibited." individual carrier, system, or group of carriers and any class or classes of its or their employees, all acting through their representatives, selected in accordance with the provisions of this Act, from mutually agreeing to the establishment of system, group, or regional boards of adjustment for the purpose of adjusting and deciding disputes of the character specified in this section. In the event that faction, either party either party to such a system, group, or regional board of adjustment may elect to come under board's jurisdictive of the character specified in this section. In the event that faction, either party either party to such a system, group, or regional board of adjustment may elect to come under board's jurisdictive of the character specified in this section. In the event that faction, either party either party to such a system, group, or regional board of adjustment may elect to come under the character specified in this section. In the event that faction, either party either party to such a system, group, or regional board of adjustment may elect to come under the character specified in this section. is dissatisfied with such arrangement, it may upon ninety days' notice den to the other party elect to come under the jurisdiction of the Adjust-

ment Board.

Section 4 of the Railway Labor Act is amended to read as follows:

" NATIONAL MEDIATION BOARD

"Sec. 4. First. The Board of Mediation is hereby abolished, effec-Board of Mediation tive thirty days from the approval of this Act and the members, secretary, officers, assistants, employees, and agents thereof, in office upon the date of the approval of this Act, shall continue to function and receive their salaries for a period of thirty days from such date in the same manner as though this Act had not been passed. There is hereby established, as an independent agency in the executive branch of the Government, a board to be known as the 'National agency."

Filling vacancies.

Contents.

Authority conferred.

Referee may be ap-

Vol. 47, p. 579.

National Mediation Board.

Composition and appointment thereon.

Successors.

Vacancies.

Salary and expenses.

Disqualification if having any personal in-

Removals.

Chairman to be des-

Principal office.

One or more members may act as mediator.

Administering oaths.

Report to Congress.

Appointment of experts, etc.

Other officers and employees.

Books of reference.

Travel expenses.

Payments.

Mediation Board', to be composed of three members appointed by the President, by and with the advice and consent of the Senate, not more than two of whom shall be of the same political party. Terms of first ap- terms of office of the members first appointed shall begin as soon as the members shall qualify, but not before thirty days after the approval of this Act, and expire, as designated by the President at the time of nomination, one on February 1, 1935, one on February 1, 1936, and one on February 1, 1937. The terms of office of all successors shall expire three years after the expiration of the terms for which their predecessors were appointed; but any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the Vacancies in the Board shall not unexpired term of his predecessor. impair the powers nor affect the duties of the Board nor of the remaining members of the Board. Two of the members in office shall constitute a quorum for the transaction of the business of the Board. Each member of the Board shall receive a salary at the rate of \$10,000 per annum, together with necessary traveling and subsistence expenses, or per diem allowance in lieu thereof, subject to the provisions of law applicable thereto, while away from the principal office of the Board on business required by this Act. No person in the employment of or who is pecuniarily or otherwise interested in any organization of employees or any carrier shall enter upon the duties of or continue to be a member of the Board.

"All cases referred to the Board of Mediation and unsettled on the

date of the approval of this Act shall be handled to conclusion by the

Mediation Board.

"A member of the Board may be removed by the President for inefficiency, neglect of duty, malfeasance in office, or ineligibility, but for no other cause.

Second. The Mediation Board shall annually designate a member to act as chairman. The Board shall maintain its principal office in the District of Columbia, but it may meet at any other place whenever it deems it necessary so to do. The Board may designate one or more of its members to exercise the functions of the Board in mediation proceedings. Each member of the Board shall have power to administer oaths and affirmations. The Board shall have a seal which shall be judicially noticed. The Board shall make an annual report to

"Third. The Mediation Board may (1) appoint such experts and assistants to act in a confidential capacity and, subject to the provisions of the civil-service laws, such other officers and employees as are essential to the effective transaction of the work of the Board; (2) in accordance with the Classification Act of 1923, fix the salaries of such experts, assistants, officers, and employees; and (3) make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for law books, periodicals, and books of reference, and for printing and binding, and including expenditures for salaries and compensation, necessary traveling expenses and expenses actually incurred for subsistence, and other necessary expenses of the Mediation Board, Adjustment Board, Regional Adjustment Boards established under paragraph (w) of section 3, and boards of arbitration, in accordance with the provisions of this section and sections 3 and 7, respectively), as may be necessary for the execution of the functions vested in the Board, in the Adjustment Board and in the boards of arbitration, and as may be provided for by the Congress from time to time. All expenditures of the Board shall be allowed and paid on the presentation of itemized vouchers therefor approved by the chairman.

"Fourth. The Mediation Board is hereby authorized by its order Any portion of work, to assign, or refer, any portion of its work, business, or functions to a member or employee arising under this or any other Act of Congress, or referred to it by ployee. Congress or either branch thereof, to an individual member of the Board or to an employee or employees of the Board to be designated by such order for action thereon, and by its order at any time to amend, modify, supplement, or rescind any such assignment or reference. All such orders shall take effect forthwith and remain in effect until otherwise ordered by the Board. In conformity with and subject to the order or orders of the Mediation Board in the premises, and such individual member of the Board or employee designated shall have power and authority to act as to any of said work, business, or functions so assigned or referred to him for action by the Board.

"Fifth. All officers and employees of the Board of Mediation All necessary person-(except the members thereof, whose offices are hereby abolished) tion transferred to the whose services in the judgment of the Mediation Board are necessary to the efficient operation of the Board are hereby transferred to the Board, without change in classification or compensation; except that the Board may provide for the adjustment of such classification or compensation to conform to the duties to which such officers and

employees may be assigned.

"All unexpended appropriations for the operation of the Board of Mediation that are available at the time of the abolition of the Board to Mediation Board." of Mediation shall be transferred to the Mediation Board and shall be available for its use for salaries and other authorized

Sec. 5. Section 5 of the Railway Labor Act is amended to read

as follows:

"FUNCTIONS OF MEDIATION BOARD

Functions of Mediation Board.

"Sec. 5. First. The parties, or either party, to a dispute between Right of either disan employee or group of employees and a carrier may invoke the vice of Board. services of the Mediation Board in any of the following cases:

"(a) A dispute concerning changes in rates of pay, rules, or work-

ing conditions not adjusted by the parties in conference.

"(b) Any other dispute not referable to the National Railroad Adjustment Board and not adjusted in conference between the parties or where conferences are refused.

"The Mediation Board may proffer its services in case any labor Proffer of services by

emergency is found by it to exist at any time.

"In either event the said Board shall promptly put itself in communication with the parties to such controversy, and shall use its best efforts, by mediation, to bring them to agreement. If such efforts to bring about an amicable settlement through mediation shall be unsuccessful, the said Board shall at once endeavor as its final required action (except as provided in paragraph third of this section and in section 10 of this Act) to induce the parties to submit their controversy to arbitration, in accordance with the provisions of this Act.

"If arbitration at the request of the Board shall be refused by Action if arbitration one or both parties, the Board shall at once notify both parties in writing that its mediatory efforts have failed and for thirty days thereafter, unless in the intervening period the parties agree to arbitration, or an emergency board shall be created under section 10 of this Act, no change shall be made in the rates of pay, rules, No change in pay, rules, etc., rates to be made. or working conditions or established practices in effect prior to the

time the dispute arose.

Board may modify or rescind assignment.

Powers conferred.

Controversies arising over interpretation of agreement, etc

"Second. In any case in which a controversy arises over the meaning or the application of any agreement reached through mediation under the provisions of this Act, either party to the said agreement, or both, may apply to the Mediation Board for an interpretation of the meaning or application of such agreement. said Board shall upon receipt of such request notify the parties to the controversy, and after a hearing of both sides give its interpretation within thirty days.

"Third. The Mediation Board shall have the following duties with respect to the arbitration of disputes under section 7 of this

Duties of Board respecting arbitration of disputes

To appoint remain-ing arbitrator if par-ties fail to decide.

Qualifications.

Removal.

Selecting a successor

Any member may take acknowledgment of agreement to arbi-

Procedure.

Controversy over meaning or application of award.

"(a) On failure of the arbitrators named by the parties to agree on the remaining arbitrator or arbitrators within the time set by section 7 of this Act, it shall be the duty of the Mediation Board to name such remaining arbitrator or arbitrators. It shall be the duty of the Board in naming such arbitrator or arbitrators to appoint only those whom the Board shall deem wholly disinterested in the controversy to be arbitrated and impartial and without bias as between the parties to such arbitration. Should, however, the Board name an arbitrator or arbitrators not so disinterested and impartial, then, upon proper investigation and presentation of the facts. the Board shall promptly remove such arbitrator.

"If an arbitrator named by the Mediation Board, in accordance

with the provisions of this Act, shall be removed by such Board as provided by this Act, or if such an arbitrator refuses or is unable to serve, it shall be the duty of the Mediation Board, promptly, to select another arbitrator, in the same manner as provided in this

Act for an original appointment by the Mediation Board.

"(b) Any member of the Mediation Board is authorized to take the acknowledgment of an agreement to arbitrate under this Act. When so acknowledged, or when acknowledged by the parties before a notary public or the clerk of a district court or a circuit court of appeals of the United States, such agreement to arbitrate shall be delivered to a member of said Board or transmitted to said Board, to be filed in its office.

"(c) When an agreement to arbitrate has been filed with the Mediation Board, or with one of its members, as provided by this section, and when the said Board has been furnished the names of the arbitrators chosen by the parties to the controversy it shall be the duty of the Board to cause a notice in writing to be served upon said arbitrators, notifying them of their appointment, requesting them to meet promptly to name the remaining arbitrator or arbitrators necessary to complete the Board of Arbitration, and advising them of the period within which, as provided by the agreement to arbitrate, they are empowered to name such arbitrator or arbitrators.

"(d) Either party to an arbitration desiring the reconvening of a board of arbitration to pass upon any controversy arising over the meaning or application of an award may so notify the Mediation Board in writing, stating in such notice the question or questions to The Mediation Board shall be submitted to such reconvened Board. thereupon promptly communicate with the members of the Board of Arbitration, or a subcommittee of such Board appointed for such purpose pursuant to a provision in the agreement to arbitrate, and arrange for the reconvening of said Board of Arbitration or subcommittee, and shall notify the respective parties to the controversy Hearings; restriction of the time and place at which the Board, or the subcommittee, will meet for hearings upon the matters in controversy to be submitted Evidence to be con- to it. No evidence other than that contained in the record filed with the original award shall be received or considered by such recon-

vened Board or subcommittee, except such evidence as may be necessary to illustrate the interpretations suggested by the parties. If any member of the original Board is unable or unwilling to serve on such reconvened Board or subcommittee thereof, another arbitrator shall be named in the same manner and with the same powers and

duties as such original arbitrator.

"(e) Within sixty days after the approval of this Act every carrier shall file with the Mediation Board a copy of each contract with its rates of pay, etc. Filing with Board pay, rules, and working conditions. If no contract with any craft statement in lieu. pay, rules, and working conditions. If no contract with any craft or class of its employees has been entered into, the carrier shall file with the Mediation Board a statement of that fact including also a statement of the rates of pay, rules, and working conditions applicable in dealing with such craft or class. When any new contract is executed or change is made in an existing contract with any class or craft of its employees covering rates of pay, rules, or working conditions, or in those rates of pay, rules, and working conditions of employees not covered by contract, the carrier shall file the same with the Mediation Board within thirty days after such new contract or change in existing contract has been executed or rates of pay, rules, and working conditions have been made effective.

"(f) The Mediation Board shall be the custodian of all papers

"(f) The Mediation Board shall be the custodian of all papers Board to be custo-and documents heretofore filed with or transferred to the Board of filed with Board of Mediation bearing upon the settlement, adjustment, or determination Mediation. of disputes between carriers and their employees or upon mediation or arbitration proceedings held under or pursuant to the provisions of any Act of Congress in respect thereto; and the President is authorized to designate a custodian of the records and property of the Board of Mediation until the transfer and delivery of such records to the Mediation Board and to require the transfer and delivery to the Mediation Board of any and all such papers and documents filed with it or in its possession."

SEC. 6. Section 6 of the Railway Labor Act is amended to read

as follows:

"Sec. 6. Carriers and representatives of the employees shall give Notice of intended at least thirty days' written notice of an intended change in agree-change in rates of pay, ments affecting rates of pay, rules, or working conditions, and the tions. time and place for the beginning of conference between the representatives of the parties interested in such intended changes shall be agreed upon within ten days after the receipt of said notice, and said time shall be within the thirty days provided in the notice. In every case where such notice of intended change has been given, or conferences are being held with reference thereto, or the services of the Mediation Board have been requested by either party, or said Board has proffered its services, rates of pay, rules, or working conditions shall not be altered by the carrier until the controversy has been finally acted upon as required by section 5 of this Act, by the Mediation Board, unless a period of ten days has elapsed after termination of conferences without request for or proffer of the services of the Mediation Board."

SEC. 7. The Railway Labor Act is amended by striking out the Substitutions in deswords "Board of Mediation" wherever they appear in sections ignated sections of, 7, 8, 10, and 12 of such Act, and inserting in lieu thereof the words "Wol. 44, pp. 582-587." Mediation Board."

SEC. 8. If any section, subsection, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. Incorporated All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved, June 21, 1934.

Filling vacancy.

New contracts.

Vol. 44, p. 582.

Decision of Board required.

Ante, p. 1195. Exception.

Saving provisions.

Inconsistent laws re-

[CHAPTER 692.]

AN ACT

[Public, No. 443.]

To amend section 5 of Public Act Numbered 2 of the Seventy-second Congress, as amended.

Reconstruction Finance Corporation Act, amended.
Vol. 47, p. 7.

Be it enacted by the Senate and House of Representatives of the Fi. United States of America in Congress assembled, That section 5 of Public Act Numbered 2 of the Seventy-second Congress, as amended, Aggregate amount of advance to anyone corporation; limitation removed.

Public Act Numbered 2 of the Seventy-second Congress, as amended, be amended by striking out the period at the end of the second paragraph thereof and inserting in lieu thereof a colon and the following: "Provided, That such limitation shall not apply to advances to receivers or other liquidating agents of closed banks when made for the purpose of liquidation or reorganization."

Approved, June 21, 1934.

[CHAPTER 693.]

AN ACT

June 21, 1934. [H.R. 7922.] [Public, No. 444.]

Authorizing the Secretary of Commerce to dispose of a portion of the Yaquina Bay Lighthouse Reservation, Oregon.

Be it enacted by the Senate and House of Representatives of the Be it enacted by the Senate and House of Representatives of the Nouse Reservation, United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey to the State of Oregon (State Highway Commission), for public-highway and park purposes, the unused portion of Yaquina Bay Lighthouse Reservation, Oregon, containing an area of approximately thirty-two acres, more or less, excepting that part of lot 1, section 17; part of lot 1, section 18; and part of lot 5, section 8, all in township 11 south, of range 11 west, hordering on Yaquina Bay which is required for range 11 west, bordering on Yaquina Bay which is required for jetty purposes by the War Department, and reserving to the Commerce, Treasury, and War Departments the rights of ingress and egress over the land so transferred and to maintain thereon such facilities as these Departments may at any time require. The deed of conveyance shall describe by metes and bounds the land so trans-Reversionary provi- ferred to the State of Oregon and contain the express condition that sion. the grantee assumes the obligation of carrying out the purposes of the grant; and provide that the Secretary of Commerce may at any time by letter addressed to the Oregon State Highway Commission notify the grantee in the event it has not begun to perform, or has ceased to perform, any such obligations that the property so conveyed will revert to the United States; and if the grantee does not begin or resume the performance of such obligations within a period of six months from data of such prefix grants and property shall more of six months from date of such notice, such property shall upon the expiration of such period revert to the United States without further notice of demand or any suit or proceeding.

Approved, June 21, 1934.

[CHAPTER 694.]

AN ACT

[Public, No. 445.]

To establish a national military park at the battlefield of Monocacy, Maryland.

Monceacy National United States of America in Congress assembled, That in order to Establishment, when commemorate the Battle of Monocacy, Maryland, and to preserve for title to land, etc., action actions the commemorate the breastworks. earthworks. walls or other Be it enacted by the Senate and House of Representatives of the historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein, the battlefield at Monocacy, in the State of Maryland, is hereby declared a national military park to be known as the "Monocacy National Military Park", whenever the title to the lands deemed necessary by the Secretary of the Interior shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of

Maryland.

SEC. 2. The Secretary of the Interior is hereby authorized to coedings to a cause condemnation proceedings to be instituted in the name of the lands.

No. 25, p. 357. United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize condemnation of lands for sites for public buildings and for other purposes" (25 Stat.L. 357), to acquire title to the lands, interests therein, or rights pertaining thereto within the said Monocacy National Military Park, and the United States shall be entitled to immediate possession upon the filing of the petition in condemnation in the United States District Court for the District of Maryland: Provided, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price ers. for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: Provided further, That the Secretary of the Interior Acceptance of donais authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the Monocacy National Military Park: And provided further, That title and evidence of title to lands and interests therein acquired for said park shall be satisfactory to the Secretary of the Interior.

SEC. 3. The Secretary of the Interior is hereby authorized to enter Leases with owners for lands unnecessary into leases with the owners of such of the lands, works, defenses, and to purchase. buildings thereon within the Monocacy National Military Park, as in his discretion it is unnecessary to forthwith acquire title to, and such leases shall be on such terms and conditions as the Secretary of the Interior may prescribe, and may contain options to purchase, subject to later acceptance, if, in the judgment of the Secretary of the Interior, it is as economical to purchase as condemn title to the property: *Provided*, That the Secretary of the Interior may enter into agreements upon such nominal terms as he may prescribe, per-ings. mitting the present owners or their tenants to occupy or cultivate their present holdings, upon condition that they will preserve the present breastworks, earthworks, walls, defenses, shelters, buildings and roads, and the present outlines of the battlefields, and that they will only cut trees or underbrush or disturb or remove the soil, under such regulations as the Secretary of the Interior may prescribe, and that they will assist in protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

SEC. 4. The affairs of the Monocacy National Military Park shall, Supervision of Nasubject to the supervision and direction of the Office of National fice. Parks, Buildings, and Reservations of the Interior Department, be in charge of a superintendent, to be appointed by the Secretary of the Interior.

SEC. 5. It shall be the duty of the superintendent, under the direction of the Office of National Parks, Buildings, and Reservations of the Interior Department, to superintend the opening or repair of such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of the Interior may determine, all breastworks, earthworks, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the park or in its vicinity.

tions, acting through the Secretary of the Interior, is authorized to etc., authorized. receive gifts and contributions from States, Territories, societies, organizations, and individuals for the Monocacy National Military

Condemnation pro-eedings to acquire

Provisos. Purchase from own-

Title.

Provisos. Cultivation of hold-

Condition.

Duties prescribed.

Contributions to be deposited to credit of special fund.

States may mark lines of battle of their

Provisos Approval of marking, etc

No discrimination in designating lines.

Penalty for destroying, injuring, etc., property.

Park: Provided, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Monocacy National Military Park fund" which fund shall be applied to and expended under the direction of the Secretary of the Interior, for carrying out the provisions of this Act.

SEC. 7. It shall be lawful for the authorities of any State having had troops at the Battle of Monocacy to enter upon the lands and approaches of the Monocacy National Military Park for the purpose of ascertaining and marking the line of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription for the same, shall be submitted to the Secretary of the Interior and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the Office of National Parks, Buildings, and Reservations: Provided, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of the Interior may be used by any other State.

SEC. 8. If any person shall, except by permission of the Secretary of the Interior, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, enclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, of the jurisdiction in which the offense may be committed, shall for each and every such offense forfeit and pay a fine, in the discretion of the United States commissioner or court, according to the aggravation of the offense, of not less than \$5 nor more than \$500. SEC. 9. The Secretary of the Interior shall have the power to make

Rules, etc., to be prescribed.

all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park.

Appropriation thorized.

Sec. 10. For the purposes of carrying out the provisions of this Act, the sum of \$50,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated. Approved, June 21, 1934.

[CHAPTER 695.]

June 21, 1934. [H.R. 8833.] [Public, No. 446.]

AN ACT To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the founding of the Colony of Connecticut.

Be it enacted by the Senate and House of Representatives of the Tercentenary of founding Colony of United States of America in Congress assembled, That, in comConnecticut.

Silver 50-cent pieces to be coined, in comthe Colony of Connecticut, there shall be coined by the Director of the Mint twenty-five thousand silver 50-cent pieces of standard size.

the Mint twenty-five thousand silver 50-cent pieces of standard size,

weight, and fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this

No Federal expense for dies, etc.

Sec. 2. That the coins herein authorized shall be issued at par Issue at par to Conand only upon the request of the chairman or secretary of the Commission.

Connecticut Tercentenary Commission.

SEC. 3. Such coins may be disposed of at par or at a premium by proceeds.

Disposal of; use of said Commission and all proceeds shall be used in furtherance of the Connecticut Tercentenary Commission projects.

SEC. 4. That all laws now in force relating to the subsidiary silver cable. Coinage laws appli-

coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

Approved, June 21, 1934.

[CHAPTER 696.]

AN ACT

To provide for the construction and operation of a vessel for use in research work with respect to ocean fisheries.

[Public, No. 447.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, when funds Department of Comare made available as authorized by section 2 of this Act, the Secremence. Construction, etc., of Comare made available as authorized by section 2 of this Act, the Secremence. tary of Commerce is authorized and directed (1) to cause plans and vessel for rese specifications to be prepared for the construction and equipment of work, authorized. a vessel for use in such research work with respect to ocean fisheries as the Secretary finds will be useful to persons engaged in the fishing industry; and (2) to contract for the construction and equipment of such vessel. Such vessel shall be maintained and operated under the supervision of the Secretary of Commerce.

Sec. 2. There is authorized to be appropriated \$500,000, or so much thereof as may be necessary, to carry out the purposes of the first sentence of section 1 of this Act.

Supervision.

Amount authorized.

Approved, June 21, 1934.

[CHAPTER 709.]

AN ACT

To amend the Civil Service Retirement Act of May 29, 1930, and for other [S. 2702.] [Public, No. 448.] purposes.

June 22, 1934. [S. 2702.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection Civil Service Retirement Act of May 29, amended. 1930, as amended (U.S.C., Supp. VII, title 5, sec. 702a(c)), is U.S.C., Supp. VII, p. 476. amended to read as follows:

"(c) In case an annuitant shall die without having received in Annuitant dying beannuities purchased by the employee's contributions as provided in to his credit. (2) of section 4 of this Act an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit Payments; order of and any account any account to the credit precedence. and any accrued annuity shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded on his individual account;

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"Second, if there be no such beneficiary, to the duly appointed

executor or administrator of the estate of such annuitant;

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Increased annuity at employee's option.

Vol. 46, p. 472.
U.S. C., Supp. VII,
U.S. C., Supp. VII,
U.S. C. Supp. VII,
U.S. C. Supp. VIII,
U.S. C. S

accrued annuity."

SEC. 2. Subsection (d) of such section 12 (U.S.C., Supp. VII, title 5, sec. 702a(d)) is amended to read as follows:

"(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest Payments; prece thereon shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by

such employee and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed

executor or administrator of the estate of such employee;
"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person."

SEC. 3. Subsection (e) of such section 12 (U.S.C., Supp. VII, title

Vol. 46, p. 477.
U.S.C. Supp. VII, 5, sec. 702a(e)) is amended to read as follows:

"(e) In case a former employee entitled in the control of the control of

"(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed \$1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of thirty days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person."

Sec. 4. Subsection (f) of such section 12 (U.S.C., Supp. VII,

title 5, sec. 702a(f)) is amended to read as follows:

"(f) Each employee or annuitant to whom this Act applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this $\operatorname{Act.}$

This Act shall become effective upon the transfer of civil-service retirement functions from the Veterans' Administration to the Civil Service Commission, as provided in Executive order of April 7, 1934, as amended by the Executive order of June 5, 1934.

Approved, June 22, 1934.

Deceased employee, ineligible for retirement.

competent. Payment.

Vol. 46, p. 477, U.S.C., Supp. VII, p. 50. Beneficiary, designation of.

Effective date. Executive orders Nos. 6670, 6731.

[CHAPTER 710.]

AN ACT

To revive and reenact the Act entitled "An Act to authorize the Bainbridge Island Chamber of Commerce, a corporation, its successors and assigns, to construct, maintain, and operate a bridge across Agate Pass connecting Bainbridge Island with the mainland in Kitsap County, State of Washington", approved March 2, 1929.

June 22, 1934. [S. 3604.] [Public, No. 449.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act Agate Pass. Time extended for approved March 2, 1929, authorizing the Bainbridge Island Chamber of Commerce a cornecting its successors and assigns to con-Bainbridge Island with ber of Commerce, a corporation, its successors and assigns, to conmainland.

Vol. 45, p. 1447. struct, maintain, and operate a bridge and approaches thereto across Agate Pass connecting Bainbridge Island with the mainland in Kitsap County, State of Washington, be and the same is hereby, revived and reenacted: Provided, That this Act shall be null and void unless the actual construction of the bridge herein referred to be commenced within one year and completed within three years from the date of approval hereof.

Proviso.
Commencement, etc.

Amendment.

Sec. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 22, 1934.

[CHAPTER 711.]

AN ACT

To grant a portion of the Fort Douglas Military Reservation to the University of Utah, Salt Lake City, Utah.

June 22, 1934. [S. 3618.]

Be it enacted by the Senate and House of Representatives of the Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is tary Reservation, Utah. hereby granted to the University of Utah the following-described transferred to University of Utah, lying within the United States Fort Douglas Military Reservation, Utah. valient of 44, p. 1364. Utah, namely: Beginning at the United States Government stone Utah, namely: Beginning at the United States Government stone monument at the northeast corner of the University of Utah campus; thence running south along the west boundary of the United States Fort Douglas Military Reservation two thousand six hundred and thirty-two feet, more or less, to the north line of Salt Lake City Reservoir site; thence east along said north line of said reservoir site seven hundred and fifteen feet; thence in a southeasterly direction four hundred and eighty feet, more or less, along the boundary of said reservoir site to the southeast corner of said reservoir site; thence east one hundred feet; thence north on a line nine hundred and sixty-five feet from and parallel to the west boundary of the United States Fort Douglas Military Reservation three thousand one hundred and forty-four feet, more or less, to a point which is nine hundred and sixty-five feet east and fifty feet north of the point of beginning; thence west one thousand one hundred and twenty feet to the west boundary of the United States Fort Douglas Military Reservation; thence south fifty feet; thence east one hundred and fifty-five feet to the point of beginning.

SEC. 2. That any and all right, title, or interest which the United states released and States now has in and to the above-described land, be, and the same vested in State and University. hereby are, released and granted to and vested in the State of Utah and the University of Utah, and this Act shall be deemed a conveyance in fee simple of the said land: Provided, That the State of Utah or the University of Utah shall improve the said property purposes. and maintain the same for university purposes.

Reversionary provi-

Roadway construction.

Use of waters of Red Butte Canyon Creek not included.

Maintenance of sewer to Fort Douglass.

Perpetual easement to Salt Lake City, for water supply.

Party erected. fence to be

and that in case said land shall be abandoned by the State or the University of Utah for said purposes the said land and all improvements thereon shall revert to the United States: Provided further, That the State of Utah or the University of Utah shall construct within three years and perpetually maintain a roadway along the eastern boundary of the above-described land hereby granted to the State of Utah and the University of Utah: Provided further, That the grant of said land shall in no manner carry with it any right or title in or to any portion of the waters of the Red Butte Canyon Creek: And provided further, That there is reserved to the United States the perpetual right to maintain, alter, rebuild, and enlarge the sewer which runs from the Fort Douglas Military Post across said tract of land, or to construct, and maintain a new sewer system across the same, should it be or become desirable to do so: And provided further, That there is reserved to Salt Lake City, a municipal corporation organized and existing under the laws of the State of Utah, a perpetual easement and right-of-way for the operation, maintenance, repair, and renewal of the conduit and pipe line as now constructed over and upon the Fort Douglas Military Reservation in said State, the same being connected with the water-supply system of the said city; and also for the construction, operation, maintenance, repair, and renewal of all valve houses which may be deemed necessary in connection with said pipe line: And provided further, That the University of Utah shall erect and maintain a suitable fence between the military reservation and the tract granted. Approved, June 22, 1934.

[CHAPTER 712.]

AN ACT

June 22, 1934. [S. 3655.] [Public, No. 451]

To amend the Act entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", approved June 30, 1906, as amended.

Adulterated or mis-branded foods, drugs, etc. Vol. 34, p. 771. U S.C., p. 623.

Inspection of sea

Marking.

production

Fees; use of.

Counterfeiting, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", approved June 30, 1906, as amended, is amended by adding after section 10 thereof the following new section:

"Sec. 10A. The Secretary of Agriculture, upon application of Supervising inspectors any packer of any sea food sold in interstate commerce, may at his tors authorized to examine methods, may discretion designate supervisory inspectors to examine and inspect terials, etc., in sea food all premises, equipment, methods, materials, containers, and labels all premises, equipment, methods, materials, containers, and labels used by such applicants in the production of such food. If the food is found to conform to the requirements of this Act, the applicant shall be authorized, in accordance with regulations prescribed by the Secretary of Agriculture, to mark the food so as to indicate such conformity. Services to any applicant under this section shall be rendered only upon payment of fees to be fixed by regulations of the Secretary of Agriculture in such amount as to cover the cost of the supervisory inspection and examination, together with the reasonable costs of administration incurred by the Secretary of Agriculture in carrying out this section. Receipts from such fees shall be covered into the Treasury and shall be available to the Secretary of Agriculture for expenditures incurred in carrying out this section. Any person who forges, counterfeits, simulates, or falsely represents, or without proper authority uses any mark, stamp, tag,

label, or other identification devices authorized by the provisions of this section or regulations thereunder, shall be guilty of a mis-demeanor, and shall on conviction thereof be subject to imprisonment for not more than one year or a fine of not less than \$1,000 nor more than \$5,000, or both such imprisonment and fine.

Punishment for

Approved, June 22, 1934.

[CHAPTER 713.]

AN ACT

To authorize the Postmaster General to hire vehicles from postal employees.

June 22, 1934. [H.R. 4224.] [Public, No. 452.]

entitled "An Act to authorize the Postmaster General to hire vehicles from village delivery carriers", approved June 18, 1930 (46 Stat. 782; U.S.C., Supp. VI, title 39, sec. 52), is hereby amended to read as follows: "Provided, That beginning with the fiscal year 1928, and thereafter, the Postmaster General may hire vehicles from postal employees, not filling supervisory positions, for use in the city delivery and collection service, and in the village delivery and collection service, either under an allowance or on a contract basis."

Approved, June 22 1024 Be it enacted by the Senate and House of Representatives of the

Approved, June 22, 1934.

[CHAPTER 714.]

AN ACT

Making appropriation to restore water of high mineral content on land owned and controlled by the Federal Government.

June 22, 1934 [H.R. 6366.] [Public, No. 453.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not to exceed \$250 is appropriated, out of any money in the Treasury Appropriation to renot otherwise appropriated, to be expended under the supervision of the postmaster at Lincoln, Nebraska, for the purpose of providing a pump which will restore the flow of mineral water to the fountain, the well being dug on Government square about March 15, 1872. The well was put down at large expense by the citizens of Lincoln, Nebraska, and was known as "Market Square Well." The well is now covered over by the Lincoln post-office building, but is in good state of preservation and can be restored to its former use without a large expense. After the well is restored to its former status the citizens of Lincoln are to maintain the well without expense to the Government. The Government owning and controlling the ground, the citizens in justification believe that this restoration of water of great mineral benefit to the community should be made by the Government by means of a small Federal appropriation, as stated, to purchase and install the necessary pump.

Maintenance.

Approved, June 22, 1934.

[CHAPTER 715.]

AN ACT

Providing for the transfer of certain lands from the United States to the city of Wilmington, Delaware, and from the city of Wilmington, Delaware, to the

June 22, 1934. [H.R. 7428.] [Public, No. 454.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary Wilmington, Del. Exchange of lands of the Treasury be, and he is hereby, authorized to convey to The with, authorized Mayor and Council of Wilmington, a municipal corporation of the

State of Delaware, for street purposes only, all the right, title, and interest of the United States to the following-described parcels of land which form a part of the new post-office site at Wilmington, Delaware:

Description.

Tract 1. Beginning at the intersection of the southeasterly side of Market Street at sixty-five feet six inches wide and the northeasterly side of Eleventh Street at sixty-nine feet wide; thence northeasterly along the said side of Market Street two hundred and sixty-five feet three inches to the southwesterly side of Twelfth Street at eighty-five feet wide; thence southeasterly along the said side of Twelfth Street ten feet six inches to a point; thence southwesterly parallel to Market Street two hundred and sixty-five feet three inches to the first-mentioned northeasterly side of Eleventh Street; thence thereby northwesterly ten feet six inches to the place of beginning, containing therein approximately two thousand seven hundred and eighty-two square feet.

Tract 2. Beginning at a point on the northeasterly side of Eleventh Street at sixty-nine feet wide distant ten feet six inches southeasterly from the southeasterly side of Market Street at sixty-five feet six inches wide; thence southeasterly along the said side of Eleventh Street two hundred feet to the northwesterly side of King Street at sixty-five feet six inches wide; thence northeasterly along the last-mentioned side of King Street eighteen feet to a point; thence northwesterly parallel to Eleventh Street two hundred feet to a point distant ten feet six inches southeasterly from the southeasterly side of Market Street at sixty-five feet six inches wide; thence southwesterly parallel to Market Street eighteen feet to the place of beginning, containing therein approximately three thousand six hundred square feet, in consideration of the conveyance by The Mayor and Council of Wilmington, a municipal corporation of the State of Delaware, to the United States of a valid title in and to the following-described parcel of land as an addition to the aforesaid post-office site:

Beginning at intersection of the northwesterly side of King Street (at sixty-five feet six inches wide) and the southwesterly side of Twelfth Street (as the same is at present established at eighty-five feet in width); thence northwesterly along the last-mentioned side of Twelfth Street two hundred feet to a point distant ten feet six inches southeasterly from the southeasterly side of Market Street as the same is at present established at sixty-five feet six inches in width; thence northeasterly parallel to Market Street thirty-two feet to a point; thence southeasterly parallel to the first-mentioned side of Twelfth Street two hundred feet to the northwesterly side of King Street extended; thence thereby southwesterly thirty-two feet to the

place of beginning.

Proviso.
Easement reserved or coal pit.

Provided, however, That there shall be reserved to the United States an easement in perpetuity to construct and maintain a coal pit approximately twelve feet wide extending under the sidewalk in the eighteen-foot strip of land under Eleventh Street to be conveyed to The Mayor and Council of Wilmington, a municipal corporation of the State of Delaware, from a point approximately sixteen and one half feet southeasterly from the southeasterly side of Market Street in a southeasterly direction a distance of approximately fifty feet.

Approved, June 22, 1934.

[CHAPTER 716.]

AN ACT

Relating to conveyance of letters by private hands without compensation, or by special messenger employed for the particular occasion only.

June 22, 1934 [H.R. 7670.] [Public, No. 455.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 186 Postal Service. Vol. 17, p. 308; Vol. of the Act of March 4, 1909 (35 Stat. 1124) (U.S.C., title 18, sec. 309) Sec. 19, 1124, U.S.C., p. 484. is hereby amended to read as follows:

ance or transmission of letters or packets by private hands without or packets by private hands without compensation, or by special messenger employed for the particular pensation.

Conveyance of letters or packets by private hands without or packets by private hands, without compensation only: Provided. That whenever more than the particular pensation. occasion only: Provided, That whenever more than twenty-five such letters or packets are conveyed or transmitted by such special messenger, the requirements of section 3933 of the Revised Statutes (U.S.C., title 39, sec. 500) shall be observed as to each piece."

Proviso.
Treatment, if number exceeds twenty-five.
R.S. sec. 3933, p. 764.
U.S.C., p. 1266.

[CHAPTER 717.]

Approved, June 22, 1934.

AN ACT

To amend section 392 of title 5 of the United States Code.

June 22, 1934. [H.R. 8460.] [Public, No. 456.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of the Act of June 16, 1921 (42 Stat. 63), incorporated in the United States Code as section 392 of title 5, is amended to read as follows:

Postal Service. Vol. 42, p. 63. U.S.C., p. 50.

"When any damage is done to person or property by or through may settle damage the operation of the Post Office Department in any branch of its chims. when award does not exceed \$500. service and such damage is found by the Postmaster General upon investigation to be a proper charge against the United States, the Postmaster General is invested with power to adjust and settle any claim for such damage when his award for such damage in any case to cases of negligence does not exceed \$500, and this authority shall hereafter be construed by postal personnel. as extending to cases caused by the negligence of any officer or employee of the Post Office Department or Postal Service acting within the scope of his employment."

Approved, June 22, 1934.

[CHAPTER 718.]

AN ACT

To authorize the Secretary of the Treasury to amend the contract for sale of post-office building and site at Findlay, Ohio.

June 22, 1934 [H.R. 8909.] [Public, No. 457.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to agree to an amendete, amended.

Findlay, Ohio.
Existing contract for sale of old building, etc., amended. ment to the existing contract between the city of Findlay, Ohio, and the United States of America for the sale of the old post-office site and building at Findlay, Ohio, for the sum of \$50,000, negotiated on stallment basis prothe basis of one fourth cash and the balance in equal installments vided. payable in three, six, nine, and twelve months with interest on deferred payments payable quarterly at 5 per centum per annum; the amended contract to provide that payment may be made in five annual installments of \$10,000 each, with interest at the rate of 5 per extension of time for payment shall be effective upon date of execution of amended contract between the city of Findles and th

Vol. 46, p. 1592.

Interest rate.

73d CONGRESS. SESS. II. CHS. 718–720. JUNE 22, 1934.

inal contract.

Effectiveness of original contract. States of America: Provided further, That the provisions of the original contract between the city of Findlay, Ohio, and the United States of America shall not be modified, except as herein specified. Approved, June 22, 1934.

[CHAPTER 719.]

AN ACT

June 22, 1934. [H.R. 9826.] [Public, No. 458.]

Granting the consent of Congress to the State Highway Commission to construct, maintain, and operate a free highway bridge across Eleven Points River in the northwest half of section 31, township 25 north, range 3 west, eight miles northeast of Alton, on Route B in Oregon County, Missouri.

Be it enacted by the Senate and House of Representatives of the Missouri may bridge, in Oregon County.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State III. of Congress is hereby granted to the State Highway Commission of Missouri to construct, maintain, and operate a free highway bridge and approaches thereto across Eleven Points River in the northwest half of section 31, township 25 north, range 3 west, eight miles northeast of Alton, on Route B in Oregon County, Missouri, at a point suitable to the interests of navigation, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

Construction. Vol. 34, p. 84.

SEC. 2. The right to alter, amend, or repeal this Act is hereby

Amendment.

expressly reserved. Approved, June 22, 1934.

[CHAPTER 720.]

AN ACT

June 22, 1934. [S. 3660.] [Public, No. 459]

To grant to the city of Monterey, California, an easement for street purposes over certain portions of the military reservation at Monterey, California.

Description.

Be it enacted by the Senate and House of Representatives of the Monterey, Calif.

Easement granted, or designated portions of military reservation for street purposes.

Monterey, Calif.

Easement granted, or designated portions of military reservation for street purposes.

Monterey, Calif.

United States of America in Congress assembled, That the Secretion directed to grant to the city of Monterey California, an easement over certain parcels (to be used in widening Lighthouse Road in such city) of the military reservation

at Monterey, California, described as follows:
Parcel 1. Beginning at a point on the southwesterly line of Lighthouse Road (sometimes called "Lighthouse Avenue"), distant south sixty-seven degrees seventeen and one half minutes east, one hundred forty and forty-three one hundredths feet from the point of intersection of the north line of the United States military reservation, Monterey, Monterey County, California, and the southwesterly line of Lighthouse Avenue, said point of intersection being distant south eighty-nine degrees thirty minutes west, seven hundred thirtytwo and ninety-two one-hundredths feet from a stone monument at the northeast corner of said United States military reservation; and running thence from said point of beginning south sixty-two degrees twenty-six minutes east, five hundred eighty-six and six tenths feet to a point; thence southeasterly (following the arc of a circle whose radius is four hundred feet, and the center of which circle bears south twenty-seven degrees thirty-four minutes west, four hundred feet distant from the last-mentioned point) five hundred thirty and eight tenths feet; thence south thirteen degrees thirty-six minutes west five hundred and sixty-eight feet to a point distant north thirteen degrees thirty-six minutes east, fifty-eight feet from the point of intersection of the south line of said United States military reservation with the west line of said Lighthouse Road; thence north twenty-nine degrees forty minutes east, fifteen and seventyfive one-hundredths feet to a point on said west line of Lighthouse Road; thence along said west line of Lighthouse Road the following

courses and distances: North fifteen degrees forty-seven minutes east, five hundred sixteen and five tenths feet; thence north twelve degrees fifty-five and one half minutes east, one hundred feet; thence north five degrees two and one half minutes east, one hundred feet; thence north seven degrees twelve minutes west, one hundred feet; thence north twenty-six degrees nine minutes west, one hundred feet; thence north forty-five degrees twenty-nine minutes west, one hundred feet; thence north sixty degrees twenty-six and one half minutes west, seventy-one and sixty-three one-hundredths feet; thence north sixty-five degrees west six hundred thirtynine and three one-hundredths feet to the point of beginning.

Parcel 2. Beginning at a point on the north line of the United States military reservation, Monterey, Monterey County, California, distant north eighty-nine degrees thirty minutes east, one hundred sixteen and thirty-four one-hundredths feet from the point of intersection of said north line of the United States military reservation with the southwesterly line of Lighthouse Avenue, said point of beginning also being distant south eighty-nine degrees thirty minutes west, six hundred sixteen and fifty-eight one-hundredths feet from a stone monument at the northeast corner of said United States military reservation; and running thence from said point of beginning north eighty-nine degrees thirty minutes east, along said north line of the United States military reservation, seventy-seven and nine tenths feet to a point; thence south sixty-two degrees twenty-six minutes east two hundred thirty-eight and ninety-six one-hundredths feet to a point on the northwesterly line of that certain part of said United States military reservation over which an easement was granted by the Secretary of War on July 14. 1926, pursuant to the Act approved June 7, 1926 (44 Stat. 699); thence south forty degrees twelve minutes west, along said north-westerly line of said grant to the city of Monterey, twenty-three and seventy-nine one-hundredths feet to a point on the northeasterly line of Lighthouse Road; thence north sixty-five degrees west, along said northeasterly line of Lighthouse Road three hundred two and seventy-five one-hundredths feet to the point of beginning.

Parcel 3. Beginning at the point of intersection of the northeasterly line of Foam Street with the northeasterly line of Lighthouse Road in the United States military reservation, Monterey, Monterey County, California, said point of beginning being the southernmost corner of that certain part of said United States military reservation granted to the city of Monterey, California, pursuant to H.R. 10203. March 10, 1926; thence south sixty-five degrees east, along said northeasterly line of Lighthouse Road, three hundred nineteen and eight tenths feet to a point; thence north sixty-two degrees twenty-six minutes west, three hundred forty-six and six tenths feet to a point on said northeasterly line of Foam Street; thence south thirtyfour degrees thirty-six minutes east, along said northeasterly line of Foam Street thirty and sixty-eight one-hundredths feet to the point of beginning: Provided, That the Secretary of War is authorized to make such changes in the foregoing description of the three

parcels as he deems necessary.

SEC. 2. The easement authorized by this Act to be granted shall Continuance of et continue during such period as it shall be used exclusively for street for street purposes. purposes, subject to such conditions, restrictions, and reservations as the Secretary of War may impose for the protection of the military reservation and subject to a right-of-way over such parcels for the use of the United States during the continuance of such

Approved, June 22, 1934.

Proviso. Change authorized.

[CHAPTER 735.]

AN ACT

June 23, 1934. [S. 3178.] [Public, No. 460.]

Authorizing the George Washington Bicentennial Commission to print and distribute additional sets of the writings of George Washington.

George Washington Bicentennial Commission. Vol. 46, p. 71.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to enable the George Washington Bicentennial Commission to carry out and give effect to certain approved plans", approved February 21, 1930, is amended by striking out all preceding the last sentence therein and inserting in lieu thereof the following:

Edition of essential writings of George Washington to be prepared by.
Vol. 43, p. 671.

Limit of cost. Printing and binding.

Distribution.

Cost to libraries. To others.

Foreign exchange. No "usual number."

Vol. 46, p. 72.

Acceptance and dis-tribution of privately printed volume.

"That the United States Commission for the Celebration of the Two Hundredths Anniversary of the Birth of George Washington established by the joint resolution entitled Joint resolution authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the bicentennial of the birthday of George Washington', approved December 2, 1924 (hereinafter referred to as the 'Commission'), is authorized and directed to prepare, as a congressional memorial to George Washington, a definitive edition of all his essential writings, public and private (excluding the diaries), including personal letters from the original manuscripts or first prints, and the general orders, at a cost not to exceed \$56,000 for preparation of the manuscript. Such definitive edition shall be printed and bound at the Government Printing Office and shall be in about the same form as the already published diaries of George Washington and shall consist of twentyfive volumes, more or less. There shall be three thousand sets of such edition, two thousand of which shall be sold by the Superintendent of Documents (1) at a cost of \$50 per set for sets sold to public libraries, and institutions and societies of learning, and (2) the remainder of the two thousand sets, at \$75 per set. The Commission shall, upon the publication of each volume of the remaining one thousand sets, distribute copies of each such volume as follows: Designated officials, Two each to the President, the library of the Senate, and the library of the House of Representatives; twenty-five to the Library of Congress; one to each Member of the Cabinet; one each to the Vice President and the Speaker of the House of Representatives; one to each Senator, Representative in Congress, Delegate and Resident Commissioners, and the Secondary of Commissioner; one each to the Secretary of the Senate and the Clerk of the House of Representatives; one each to the libraries Independent offices of the executive departments and independent establishments located established before Mar.
4, 1933.

Independent offices of the executive departments and independent establishments located in Washington City, which were not created after March 4, 1933: in Washington City, which were not created after March 4, 1933; and one to each member and officer of the Commission. Every such recipient eligible to receive any volume or volumes of such writings at any time prior to the issue of the final volume (but not later than December 31, 1934) shall be entitled to receive a complete set of such writings. The remaining sets, if any, shall be distributed as Library of Congress directs, including such number of sets as may be necessary for foreign exchange. The usual number for congressional distribution and for depository libraries shall not be printed." SEC. 2. Section 1 of such Act of February 21, 1930, is further

amended by adding at the end thereof the following new paragraph:

"The one thousand extra copies (theretofore privately printed) of the first volume of such writings shall be considered to have been authorized by the Commission and the Commission may accept a donation of such extra copies for distribution for reviews, advertising, and for such other promotional purposes as it may deem advisable. If the Commission shall direct the Superintendent of

Documents to sell any such extra copies of the first volume, he shall offer the same for sale at a cost per copy equal to the cost per copy of the first volume as computed under clause (2) of the third sentence of this section. Such extra copies shall be the only copies of any volume of the set distributed or sold separately."

Approved, June 23, 1934.

[CHAPTER 736.]

AN ACT

To authorize the formation of a body corporate to insure the more effective diversification of prison industries, and for other purposes.

June 23, 1934. [H.R. 9404.] [Public, No. 461.]

Be in enacted by the Senate and House of Representatives of the Be in enacted by the Sentile will house of the Act Federal Prise United States of America in Congress assembled, That in order dustries. Formation of more effectively to carry out the policy and purposes of the Act of May 27, 1930 (46 Stat. 391; U.S.C., title 18, sec. 711), entitled of May 27, 1930 (46 Stat. 391; U.S.C., title 18, sec. 711), entitled U.S.C., p. 391. U.S.C., p. 514; Supp. "An Act to provide for the diversification of employment of Fed-vii, p. 355. eral prisoners, for their training and schooling in trades and occupations, and for other purposes", the President is hereby authorized and empowered, in his discretion, to create a body corporate of the District of Columbia to be known as "Federal Prison Industries", which shall be a governmental body.

SEC. 2. The President shall appoint a board of directors of said Directors, appointment. corporation which shall consist of five persons, one of whom shall be a representative of industry, one a representative of labor, one a representative of agriculture, one a representative of retailers and consumers, and one a representative of the Attorney General. The board of directors shall serve at the will of the President and

without compensation.

Sec. 3. The President shall transfer to said corporation the duty of determining in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions and may transfer to said corporation any part or all of the other powers and duties now vested in the Attorney General or any other officer or employee of the United States by said Act of May 27, 1930. It shall be the duty of the board of directors to diversify so far as practicable prison industrial operations and so operate the prison shops that no single private industry shall be forced to bear an undue burden of competition from the products of the prison workshops.

directed, upon the formation of the corporation, to transfer to ferred to board. a fund to be known as the "Prison Industries Fund" all balances then standing to the credit of the prison industries. fund. All moneys under the control of the corporation shall be funds. Deposit and use of deposited or covered into the Treasury of the United States to the credit of said fund and withdrawn therefrom only pursuant to accountable warrants or certificates of settlement issued by the General Accounting Office. All valid claims and obligations payable out of said fund shall be assumed by the corporation. The corporation is hereby authorized to employ the aforesaid fund, and any earnings that may hereafter accrue to the corporation, as operating capital for the purposes enumerated in the said Act of May 27, 1930, and in accordance with the laws generally applicable to the expenditures of the several departments and establishments of the Government, and also for the payment of compensation in such amounts as the Attorney General may authorize to inmates of penal institutions or their dependents for injuries suffered in any

Federal Prison In-

No compensation.

Duties.

Vol. 47, p. 391.

ment. Vol. 39, p. 742. U.S.C., p. 77. Accounts

Provise. Limitation on pay industry: Provided, That in no event shall compensation be paid

in a greater amount than that provided in the Federal Employees' Compensation Act of September 7, 1916, as amended. Accounts of all receipts and disbursements of the corporation shall be rendered to the General Accounting Office in such manner, to such extent, and at such times as the Comptroller General of the United

Vol 42, p. 23.

States may direct for settlement and adjustment pursuant to title III of the Act of June 10, 1921 (42 Stat. 23), and such accounting shall include all fiscal transactions of the corporation, whether involving appropriated moneys, capital, or receipts from other

Report to Congress.

SEC. 5. The board of directors shall make an annual report to Congress on the conduct of the business of the corporation and on the condition of its funds.

Saving provision.

Sec. 6. This Act is supplemental to the Act of Congress approved May 27, 1930, and in the event of the failure of the corporation to act as herein authorized the Attorney General shall not be limited in carrying out the duties conferred upon him by the Act approved May 27, 1930.

Approved, June 23, 1934.

[CHAPTER 740.]

AN ACT

June 25, 1934. [H.R. 3084.] [Public, No. 462.]

Authorizing the sale of portions of the Pueblo lands of San Diego to the City of San Diego, California.

San Diego, Calif.
Portion of Pueblo
lands to be sold to, for
street purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, in his discretion, is authorized to sell to the city of San

Diego, California, approximately eight hundred and seventy-five one-thousandths of an acre of Pueblo lots 281 and 305 of the Pueblo lands of San Diego for a public street, subject to such conditions conditions and limitations as he may impose to safeguard the interests of the United States, for the sum of \$50 and pay the proceeds into the Treasury of the United States.

Approved, June 25, 1934.

[CHAPTER 741.]

AN ACT

June 25, 1934. [H.R. 8919.] [Public, No. 463.]

To adjust the salaries of rural letter carriers, and for other purposes.

Postal Service. Vol. 43, p. U.S.C., p. 1248. 1063;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first paragraph of section 8 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and

Rural delivery serv-ice; salaries of carriers

for other purposes", approved February 28, 1925, as amended (U.S.C., title 39, sec. 197), is amended to read as follows:

"Sec. 8. The salary of carriers in the Rural Mail Delivery Service for serving a rural route of thirty miles six days a week shall be \$1,800; on routes less than thirty miles, \$60 per mile per annum for each mile or major fraction thereof. Each rural carrier assigned to a route served six days in a week shall receive \$20 per mile per annum for each mile or major fraction thereof said route is in excess of thirty miles, based on actual mileage, and each rural carrier assigned to a route served three days in the week shall receive \$10 per mile per annum for each mile or major

fraction thereof said route is in excess of thirty miles, based on actual mileage."

(b) The second paragraph of such section 8 (U.S.C., title 39, Vol. 43, p. 1064; sec. 200) is amended to read as follows:

"Deductions for failure to perform service on a standard rural Deductions from saldelivery route for thirty miles and less shall not exceed the rate aries. delivery route for thirty miles and less shall not exceed the rate of pay per mile for service for thirty miles and less; and deductions for failure to perform service on mileage in excess of thirty miles shall not exceed the rate of compensation allowed for such excess mileage.

(c) The third paragraph of such section 8 (relating to equip- Vol. 43, p. 1064; ment-maintenance allowance for rural carriers) (U.S.C., title 39, Equipment allow-sec. 206) is amended by striking out "4 cents" and inserting in lieu thereof "5 cents". Such allowance shall not be changed except pursuant to law enacted after the date this Act takes effect.

on the date this Act takes effect, who serves six days a week a rural route of less than thirty miles, or who serves three days a week a rural route of less than sixty miles or two rural routes of less than sixty miles or two rural routes. week a rural route of less than sixty miles or two routes of a combined length of less than sixty miles, the annual salary of such carrier shall not be reduced more than \$180 by operation of subsection (a) of this section.

Sec. 2. Salaries (not including equipment-maintenance allow-ble to Government emances) of rural carriers shall, during that portion of the fiscal players generally year 1934 which remains after the time this Act takes effect, and during the fiscal year 1935 he reduced by the percentage of reduced the salary than fiscal year 1935.

during the fiscal year 1935, be reduced by the percentage of reduction, if any, applicable by law to salaries of employees of the Government generally.

Sec. 3. No consolidation of rural routes shall be made otherwise than on account of the resignation, death, retirement, or dismissal on charges of carriers in the Rural Mail Delivery Service.

SEC. 4. This Act shall take effect on the 1st day of the calendar Effective date. month next following the month in which this Act is enacted.

Approved, June 25, 1934.

[CHAPTER 742.]

AN ACT

Authorizing associations of producers of aquatic products.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That persons engaged in the fishery industry, as fishermen, catching, collecting, or cultivating aquatic products, or as planters of aquatic products.

Producers of aquatic products. Cooperative associations authorized. on public or private beds, may act together in associations, corporate or otherwise, with or without capital stock, in collectively catching, producing, preparing for market, processing, handling, and marketing in interstate and foreign commerce, such products of said persons

so engaged.

The term "aquatic products" includes all commercial products of construed.

"Aquatic products", construed. aquatic life in both fresh and salt water, as carried on in the several States, the District of Columbia, the several Territories of the United States, the insular possessions, or other places under the jurisdiction of the United States.

Such associations may have marketing agencies in common, and contracts and agree-such associations and their members may make the necessary con-ments. tracts and agreements to effect such purposes: Provided, however. That such associations are operated for the mutual benefit of the members thereof, and conform to one or both of the following requirements:

Consolidation of ru-ral routes.

June 25, 1934. [H.R. 9233] [Public, No. 464.]

Proviso Requirements. Voting.

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein; or

Dividends.

Second. That the association does not pay dividends on stock or membership capital in excess of 8 per centum per annum.

Products of nonmem-

and in any case to the following:

Third. That the association shall not deal in the products of non-

Association restrain-ing trade in interstate or foreign commerce.

members to an amount greater in value than such as are handled by it for members.

Notice of hearing.

Evidence at hearing.

Petition asking en-

Evidence.

Sec. 2. That if the Secretary of Commerce shall have reason to believe that any such association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced by reason thereof, he shall Service of complaint. serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place not less than thirty days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist from monopolization or restraint of trade. An association so complained of may at the time and place so fixed show cause why such order should not be entered. The evidence given on such a such order should not be entered. hearing shall be taken under such rules and regulations as the Secretary of Commerce may prescribe, reduced to writing, and made a Cease and desist part of the record therein. If upon such hearing the Secretary of Commerce shall be of the opinion that such association monopolizes or restrains trade in interstate or foreign commerce to such an extent that the price of any aquatic product is unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist from monopolization or restraint of trade. request of such association or if such association fails or neglects for thirty days to obey such order, the Secretary of Commerce shall file in the district court in the judicial district in which such association has its principal place of business a certified copy of the order and of all the records in the proceedings together with a petition asking that the order be enforced and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to enter a decree affirming, modifying, or setting aside said order, or enter such other decree as the court may deem equitable, and may make rules as to pleadings and proceedings to be had in considering such order. The place of trial may, for cause or by consent of parties, be changed as in other causes.

The facts found by the Secretary of Commerce and recited or set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Enforcement of order. Justice shall have charge of the enforcement of such order. Temporary writ entire the order is so filed in such district court and while pending for order. Teview therein, the court may issue a temporary writ entire the order is so filed in such district court and while pending for review therein, the court may issue a temporary with the court may is a temporary with the court may is a temporary with forbidding such association from violating such order or any part thereof. The court shall, upon conclusion of its hearing, enforce its decree by a permanent injunction or other appropriate remedy. Service of complaint. Service of such complaint and of all notices may be made upon such association by service upon any officer, or agent thereof, engaged in carrying on its business, or on any attorney authorized to appear in such proceeding for such association and such service shall be binding upon such association, the officers and members thereof.

Approved, June 25, 1934.

[CHAPTER 743.]

AN ACT

Authorizing loans from the Federal Emergency Administration of Public Works for the construction of certain municipal buildings in the District of Columbia, and for other purposes.

June 25, 1934. [S. 3404.] [Public, No. 465.]

Be it enacted by the Senate and House of Representatives of the sioners of the District of Columbia are hereby authorized to borrow building construction for the District of Columbia from the Federal Emergency Administration of Public Works, created by the National Township authorized. istration of Public Works, created by the National Industrial Recovery Act, and said Administration is authorized to lend to said Commissioners, the sum of \$10,750,000, or any part thereof, out of funds authorized by law for said Administration, for the acquisition, purchase, construction, establishment, and development of a tuberculosis hospital, a sewage-disposal plant, an extension of or addition to Gallinger Municipal Hospital, a jail or other enclosure for prisoners at Lorton, Virginia, or any one or more of said projects as

Projects enumerated.

the said Commissioners may determine.

SEC. 2. The sum authorized by section 1 hereof, or any part Availability for acthereof shall, when borrowed, be available to the Commissioners ments, etc., for public of the District of Columbia for the acquisition by dedication, pur-uses. chase, or condemnation of the fee simple title to land, or rights or easements in land, for the public uses authorized by this Act, and for the preparation of plans, designs, estimates, models, and contracts, for architectural and other necessary professional services, without reference to the Classification Act of 1923, as amended, and section 3709 of the Revised Statutes, for the construction of buildings, including materials and labor, heating, lighting, elevators, plumbing, landscaping, and all other appurtenances, and the purchase and installation of machinery, apparatus, and any and all other expenditures necessary for or incident to the complete construction of the aforesaid buildings and plants. All contracts, agreements, and proceedings in court for condemnation or otherwise, pursuant to this Act shall be had and made in accordance with existing provisions

Preparation of plans. Personal services. R.S., sec. 3709, p. 733. U.S.C., p. 1309.

of law, except as otherwise herein provided.

Sec. 3. That 70 per centum of so much of said sum authorized by section 1 of this Act as may be expended as therein provided shall to Federal Emergency be reimbursed to the Federal Emergency Administration of Public Works, annually. Works from any funds in the Treasury to the credit of the District of Columbia, as follows, to wit: Not less than \$1,000,000 on the 30th day of June each year after such sum shall have been advanced to said District until the full amount expended hereunder is reimbursed, without interest for the first three years after any such advances and with interest at not exceeding 4 per centum per year thereafter on annual balances as of each June 30: Provided, That whenever the District of Columbia is under obligation by virtue of the provisions required. of section 4 of Public Act Numbered 284, Seventy-first Congress, entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway, and so forth", approved May 29, 1930, to reimburse the United States for sums appropriated by the Congress under that Act, the total reimbursement required under both that Act and this Act shall be not less nor more than \$1,300,000 in any one fiscal year: Provided, That the Commissioners may, in their discretion, repay more than said amount: And provided further, That the Commissioners may, in Discrete any reimbursement as between the sums their discretion, allocate any reimbursement as between the sums due by them to the United States under the aforesaid Act and the sums due by them to the Federal Emergency Administration of

Proportion of exenses to be reimbursed

 $\begin{array}{c} \textit{Provisos.} \\ \textbf{Total reimbursement} \end{array}$

Repaying more.

Discretionary alloca-

ments

Necessary sums to be Public Works under this Act: Provided, That such sums as may mates.

be necessary for the reimbursement herein required of or permitted by the District of Columbia, and for the payment of interest, shall be included in the annual estimates of the Commissioners of the District of Columbia, the first reimbursement to be made on Portion of tax receipts to be credited to reimbursement fund until sufficient sum realized.

June 30, 1936. Until 70 per centum of so much of said sum dutil ized by section 1 of this Act as may be expended as therein provided shall be reimbursed to the Federal Emergency Administration with interest as provided in this section, 10 cents of the tax levied and collected upon each \$100 of the assessed valuation of all real and tangible personal property subject to taxation in the District of Columbia shall be deposited in the Treasury of the United States to the credit of a special account for such reimbursement to the Federal Emergency Administration of Public Anticipating pay Works and shall not be available for any other purpose. The Commissioners may, in their discretion, anticipate from said special account the payments required by this Act.

Annual estimates, etc., to be submitted to Congress. SEC. 4. That the Commissioners of the District of Columbia shall submit with their annual estimates to the Senate and the House of Representatives a report of their activities and expenditures under

section 1 of this Act.

Approved, June 25, 1934.

[CHAPTER 749.]

AN ACT

For the relief of the Nez Perce Tribe of Indians.

[Public, No. 466.]

June 26, 1934. [S. 847.]

Nez Perce Indians Vol. 45, p. 1249.

Attorneys costs and

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved February 20, 1929 (45 Stat. 1249) entitled "An Act for the relief of the Nez Perce Tribe of Indians", be amended by inserting the following provision at the end of section 4 thereof, namely: "Provided, That any necessary costs and expenses heretofore incurred by the attorneys for the said Nez Perce Tribe of Indians in the prosecution of proceedings under this Act, under the terms and provisions of the attorneys' contract approved by the Secretary of the Interior, shall be paid out of the funds of the said Indians in the Treasury of the United States upon proper vouchers, to be examined and approved by the Commissioner of Indian Affairs."

Approved, June 26, 1934.

[CHAPTER 750.]

AN ACT

June 26, 1934. [S. 1639.] [Public, No. 467.]

To establish a Federal Credit Union System, to establish a further market for securities of the United States and to make more available to people of small means credit for provident purposes through a national system of cooperative credit, thereby helping to stabilize the credit structure of the United States.

Be it enacted by the Senate and House of Representatives of the Federal Credit Union United States of America in Congress assembled, That this Act may be cited as the "Federal Credit Union Act".

Definitions.

DEFINITIONS

"Federal credit

Sec. 2. A Federal credit union is hereby defined as a cooperative association organized in accordance with the provisions of this Act for the purpose of promoting thrift among its members and creating a source of credit for provident or productive purposes. When used in this Act the term "Administration" means Farm Credit Administration, and the term "Governor" means the Governor thereof.

"Administration."
"Governor."

FEDERAL CREDIT UNION ORGANIZATION

Federal credit union.

SEC. 3. Any seven or more natural persons who desire to form a dordered tredit union shall subscribe before some officer competent. Federal credit union shall subscribe before some officer competent to administer oaths an organization certificate in duplicate which shall specifically state-

(1) The name of the association.
(2) The location of the proposed Federal credit union and the territory in which it will operate.

(3) The names and addresses of the subscribers to the certificate and the number of shares subscribed by each.

(4) The par value of the shares, which shall be \$5 each.(5) The proposed field of membership, specified in detail.

(6) The term of the existence of the corporation, which may be perpetual.

(7) The fact that the certificate is made to enable such persons to

avail themselves of the advantages of this Act.

Such organization certificate may also contain any provisions Provisions affecting business. approved by the Governor for the management of the business of the association and for the conduct of its affairs and relative to the powers of its directors, officers, or stockholders.

APPROVAL OF ORGANIZATION CERTIFICATE

Approval of organiza-tion certificate.

Sec. 4. Any such organization certificate shall be presented to the Governor for approval. Upon such approval the Federal credit union shall be a body corporate and as such, subject to the limitation become charter of body corporate. tions herein contained, shall be vested with all of the powers and charged with all the liabilities conferred and imposed by this Act upon corporations organized hereunder. Before any organization certificate is approved an appropriate investigation shall be made for the purpose of determining (1) whether the organization cer-tificate conforms to the provisions of this Act; (2) the general character and fitness of the subscribers thereto; and (3) the economic advisability of establishing the proposed Federal credit union. Upon approval of such organization certificate by the Governor it

FEES

shall be the charter of the corporation and one of the originals thereof shall be delivered to the corporation after the payment of

Fees.

Sec. 5. For the purpose of paying the costs incident to the ascer-cover costs. tainment of whether an organization certificate should be approved the subscribers to any such certificate shall pay, at the time of filing their organization certificate, the amount prescribed by the Governor, which shall not exceed \$20 in any case; and on the approval of any organization certificate they shall also pay a fee of \$5. During December of each calendar year each Federal credit union shall pay to the Administration a fee of not to exceed \$10, to be fixed by the Governor, for the cost of supervision: Provided, however, That no such annual fee shall be payable by such an organization for the fractional part of the first calendar year during which it is formed. All such fees shall be deposited with the Treasurer of the United turn States for the account of the Administration and may be expended by the Governor for such administrative and other expenses incurred in carrying out the provisions hereof as he may determine to be

Provisions for, to

Annual payments.

Proviso. Fractions of a year.

Deposit and expendi-

the fee required therefor.

proper, the purpose of such fees being to defray, as far as practicable, the administrative and supervisory costs incident to the carrying out of this Act.

Reports and examinations

REPORTS AND EXAMINATIONS

Financial statements required.

Examinations; fees to be charged.

Acceptance of audit by public accountant in accounts of small

Proviso.

tion fees.

Sec. 6. Federal credit unions shall be under the supervision of the Governor, and shall make such financial reports to him (at least annually) as he may require. Each Federal credit union shall be subject to examination by, and for this purpose shall make its books and records accessible to any person designated by the Governor. The Governor shall fix a scale of examination fees designed, as far as is practicable, so that in each case the fee to be paid shall equal the expense of such examination, which fees shall be assessed against and paid by each Federal credit union promptly after the completion of any such examination: Provided, however, That if a Federal credit union has assets of less than \$25,000 the Governor may accept the audit report of a practicing public accountant in place of such examination and may relieve such Federal credit union of the obligation to pay the examination fee required by this Credit of examina- section. Examination fees collected under the provisions of this section shall be deposited to the credit of the special fund created by section 5 hereof, and shall be available for the purposes specified in said section 5.

POWERS

Corporate powers.

- Sec. 7. A Federal credit union shall have succession in its corporate name during its existence and shall have power-
 - To make contracts.
 To sue and be sued.

(3) To adopt and use a common seal and alter the same at pleasure.
(4) To purchase, hold, and dispose of property necessary and incidental to its operations.

To make limited loans to members.

Interest rates.

Proviso.
Restrictions on loans to officers, etc.

Endorsements. Repayments.

Investment of funds.

Deposits.

To borrow limited

Proviso Discount eligible paper with intermediate banks, etc.

(5) To make loans with maturities not exceeding two years to its members for provident or productive purposes upon such terms and conditions as this Act and the bylaws provide and as the credit committee may approve, at rates of interest not exceeding 1 per centum per month on unpaid balances (inclusive of all charges incident to making the loan): Provided, That no loans to a director, officer, or member of a committee shall exceed the amount of his holdings in the Federal credit union as represented by shares thereof. No director, officer, or committee member shall endorse for borrowers. A borrower may repay his loan, prior to maturity, in whole or in part on any business day.

(6) To receive from its members payments on shares.
(7) To invest its funds (a) in loans exclusively to members; (b) in obligations of the United States of America, or securities fully guaranteed as to principal and interest thereby.

(8) To make deposits in national banks and in State banks, trust companies, and mutual savings banks operating in accordance with the laws of the State in which the Federal credit union does

(9) To borrow (from any source) in an aggregate amount not exceeding 50 per centum of its paid-in and unimpaired capital and surplus: Provided, That any Federal credit union may discount with or sell to any Federal intermediate credit bank any eligible obligations up to the amount of its paid-in and unimpaired capital, subject to such rules and regulations as may be prescribed by the Governor.

(10) To fine members, in accordance with the bylaws, for failure to meet promptly their obligations to the Federal credit union.

(11) To impress and enforce a lien upon the shares and dividends To improf any member, to the extent of any loan made to him and any

dues or fines payable by him.
(12) To exercise such incidental powers as shall be necessary or requisite to enable it to carry on effectively the business for porate powers. which it is incorporated.

To fine delinquents.

To impress a lien for

Exercise other cor-

BYLAWS

SEC. 8. In order to simplify the organization of Federal credit Governor to preunions the Governor shall, upon the passage of this Act, cause to be prepared a form of organization certificate and a form of bylaws, consistent with this Act, which shall be used by Federal credit union incorporators, and shall be supplied to them on request. At the time of presenting the organization certificate the incorporators shall also submit proposed bylaws to the Governor for his approval.

Bylaws.

MEMBERSHIP

Sec. 9. Federal credit union membership shall consist of the Limitations, requireincorporators and such other persons and incorporated and unincorporated organizations, to the extent permitted by rules and regulations prescribed by the Governor, as may be elected to membership and as shall, each, subscribe to at least one share of its stock and pay the initial installment thereon and the entrance fee; except that Federal credit union membership shall be limited to groups having a common bond of occupation, or association, or to groups within a well-defined neighborhood, community, or rural district.

Membership.

MEMBERS' MEETINGS

SEC. 10. The fiscal year of all Federal credit unions shall end December 31. The annual meeting of each Federal credit union shall be held at such time during the month of the following January and at such place as its bylaws shall prescribe. Special meetings may be held in the manner indicated in the bylaws. No member shall be bidden. Voting by proxy forentitled to vote by proxy, but a member other than a natural person may vote through an agent designated for the purpose. Irrespective one vote. of the number of shares held by him, no member shall have more than one vote.

Members' meetings.

Fiscal year. Annual and special meetings.

Member to have but

MANAGEMENT

SEC. 11. (a) The business affairs of a Federal credit union shall Business to be conbe managed by a board of not less than five directors, a credit less than directors. committee of not less than three members, and a supervisory com- Credit and supermittee of three members (a majority of whom shall not be directors) members. all to be elected by the members (and from their number) at their annual meeting, and to hold office for such terms, respectively, as the bylaws may provide. A record of the names and addresses of with Administration. The members of the board and committees and officers shall be filed with the Administration within ten days after their election. No member of the board or of either committee shall, as such be compensated.

Management.

OFFICERS

(b) At their first meeting after the annual meeting of the members, the directors shall elect from their number a president, a vice certain executive officers. president, a clerk, and a treasurer, who shall be the executive officers

Officers.

Duties.

Compensation of the corporation and may be compensated for their services to such allowed. extent as the bylaws may provide. The offices of clerk and treasurer may be held by the same person. The duties of the officers shall be as determined by the bylaws, except that the treasurer shall be the general manager of the corporation. Before the treasurer shall enter upon his duties he shall give bond with good and sufficient surety, in an amount and character to be determined from time to time by the board of directors, conditioned upon the faithful performance of his trust.

Directors.

DIRECTORS

Meetings, records. powers, etc.

(c) The board of directors shall meet at least once a month and shall have the general direction and control of the affairs of the corporation. Minutes of all such meetings shall be kept. Among other things they shall act upon applications for membership; fix the amount and character of the surety bond required of any officer having custody of funds; recommend the declaration of dividends; fill vacancies in the board and in the credit committee until successors elected at the next annual meeting have qualified; have charge of investments other than loans to members; determine from time to time the maximum number of shares that may be held by any individual; and, subject to the limitations of this Act, determine the interest rates on loans and the maximum amount that may be loaned with or without security to any member.

Credit Committee.

CREDIT COMMITTEE

Meetings, etc.

Loans. Approval.

Applications for.

Maximum.

Assignment or endorsement as security.

(d) The credit committee shall hold such meetings as the business of the Federal credit union may require and not less frequently than once a month (of which meetings due notice shall be given to members of the committee by the treasurer) to consider applications for loans. No loan shall be made unless approved by a majority of the entire committee and by all of the members of the committee who are present at the meeting at which the application is considered. Applications for loans shall be made on forms prepared by such committee, which shall set forth the purpose for which the loan is desired, the security, if any, and such other data as may be required. No loan in excess of \$50 shall be made without adequate security and no loan shall be made to any member in excess of \$200 or 10 per centum of the Federal credit union's paid-in and unimpaired capital and surplus, whichever is greater. For the purposes of this subdivision an assignment of shares or the endorsement of a note shall

SUPERVISORY COMMITTEE

Supervisory committee.

be deemed security.

Duties prescribed. Quarterly examina-tions and annual audits.

etc.

Special calls to consider violations, etc.

(e) The supervisory committee shall make, at least quarterly, an examination of the affairs of the Federal credit union, including an audit of its books; shall make an annual audit and a report to be submitted at the annual meeting of the corporation; and, by a Suspending officers, unanimous vote, may suspend any officer of the corporation, or any member of the credit committee or of the board of directors until the next members' meeting, which said meeting, however, shall be held within seven days of said suspension and at which meeting said suspension shall be acted upon by the members; and, by a majority vote, may call a special meeting of the shareholders to consider any violation of this Act, the charter, or of the bylaws, or any practice of the corporation deemed by the committee to be unsafe or unauthorized. The said committee shall fill vacancies in its own membership until successors to be elected at the next annual meeting have qualified. The supervisory committee shall cause the passbooks and accounts of the members to be verified with the records of the treasurer from time to time and not less frequently than once every two years.

Verifying passbooks.

RESERVES

Reserves.

SEC. 12. All entrance fees and fines provided by the bylaws and Entrance fees and 20% net 20 per centum of the net earnings of each year, before the declara-earnings to be set aside tion of any dividends, shall be set aside, subject to terms and conditions specified in the bylaws, as a reserve fund against possible bad loans.

DIVIDENDS

Dividends.

Sec. 13. At the annual meeting a dividend may be declared from paid-up shares. of, on the remaining net earnings on recommendation of the board of directors, which dividend shall be paid on all paid-up shares outstanding at the end of the preceding fiscal year. Shares which shares become fully paid up during such year shall be entitled to a proportional part of said dividend calculated from the 1st day of the month following such payment in full.

Proportional on pares paid during

EXPULSION AND WITHDRAWAL

Expulsion and with-

SEC. 14. A member may be expelled by a two-thirds vote of the scribed. members of a Federal credit union present at a special meeting called for the purpose, but only after an opportunity has been given him to be heard. Withdrawal or expulsion of a member shall not operate to relieve him from liability to the Federal credit union. The amount to be paid a withdrawing or expelled member by a Federal credit union shall be determined and paid in the manner specified in the bylaws.

MINORS

Minors.

SEC. 15. Shares may be issued in the name of a minor or in trust, subject to such conditions as may be prescribed by the bylaws. The name of the beneficiary shall be disclosed to the Federal credit union.

Issue of shares to.

CERTAIN POWERS OF GOVERNOR

Powers of Governor.

SEC. 16. (a) The Governor may prescribe rules and regulations administration of this Act (including, but not by way of limitation, the merger, consolidation, and/or dissolution of corporations organized under this Act).

(b) The Governor may suspend or revoke the charter of any May suspend, etc., Federal credit union upon his finding that the organization is bank- etc. rupt or insolvent or has violated any provisions of its charter, its bylaws, or of this Act, or of any regulations issued thereunder.

(c) The Governor is hereby authorized and empowered to execute May delegate powers to others.

any and all functions and perform any and all duties vested in him hereby, through such persons as he shall designate or employ; and he may delegate to any person or persons, including any institution operating under the general supervision of the Administration, the performance and discharge of any authority, power, or function vested in him by this Act.

(d) All books and records of Federal credit unions shall be kept To prescribe forms for keeping books, etc. and reports shall be made in accordance with forms approved by the Governor.

Fiscal agents and de-

FISCAL AGENTS AND DEPOSITORIES

SEC. 17. Each Federal credit union organized under this Act,

Federal credit union may act as.

Services specified.

when requested by the Secretary of the Treasury, shall act as fiscal agent of the United States and shall perform such services as the Secretary of the Treasury may require in connection with the collection of taxes and other obligations due the United States and the lending, borrowing, and repayment of money by the United States, including the issue, sale, redemption or repurchase of bonds, notes, Treasury certificates of indebtedness, or other obligations of the United States; and to facilitate such purposes the Governor shall furnish to the Secretary of the Treasury from time to time the names and addresses of all Federal credit unions with such other available information concerning them as may be requested by the Depository of public Secretary of the Treasury. Any Federal credit union organized under this Act, when designated for that purpose by the Secretary of the Treasury, shall be a depository of public money, except receipts from customs, under such regulations as may be prescribed by the Secretary of the Treasury.

money. U.S.C., p. 265.

Taxation.

TAXATION

Shares of stock, as personal property may be taxed.

SEC. 18. Nothing herein contained shall prevent the shares of stock any Federal credit union organized hereunder from being included in the valuation of the personal property of the owners or holders of such shares in assessing taxes imposed by authority of the State in which the Federal credit union is located or shall prevent the taxation of any Federal credit union or its property by authority of such State in the manner and not to exceed the rate imposed upon domestic banking corporations.

Appropriation thorized. Vol. 47, p. 60.

SEC. 19. Not to exceed \$50,000 of the fund available to the Governor under section 4 of the Act of March 3, 1932, for expenses of administration in connection with loans made thereunder to aid in the establishment of agricultural credit corporations, is hereby made available also for administrative expenses in administering this Act.

Saving provision.

SEC. 20. (a) If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Right to amend, etc.,

(b) The right to alter, amend, or repeal this Act or any part thereof, or any charter issued pursuant to the provisions of this Act, is expressly reserved.

Approved, June 26, 1934.

[CHAPTER 751.]

AN ACT

June 26, 1934. [S. 2043] [Public, No. 468.]

To amend the Act of May 22, 1928, entitled "An Act to authorize the collection, in monthly installments, of indebtedness due the United States from enlisted men, and for other purposes."

45, p amended

Be it enacted by the Senate and House of Representatives of the Army. Collection of indebt. United States of America in Congress assembled, That the Act of edness from enlisted May 22, 1928 (45 Stat. 698), entitled "An Act to authorize the collec-608, tion, in monthly installments, of indebtedness due the United States from enlisted men, and for other purposes", is hereby amended by the elimination of the third provise of that Act reading as follows: "And provided further, That the Secretary of War, under such regulations as he shall prescribe, may cause to be remitted and canceled, upon honorable discharge of the enlisted man from the service, any

such indebtedness incurred during the current enlistment and remaining unpaid at the time of discharge"; and the substitution therefor of the following: "And provided further, That the Secretary of War may cause to be remitted and canceled any part of such indebtedness remaining unpaid either on honorable discharge of the enlisted man from the service or prior thereto when in his opinion the interests of the Government are best served by such action."

Approved, June 26, 1934.

[CHAPTER 752.]

AN ACT

To provide for a preliminary examination of Cromline Creek in the State of _ New York, with a view to the control of its floods.

June 26, 1934. [S. 3408.] [Public, No. 469.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause nation of. a preliminary examination to be made of Cromline Creek in the State of New York, with a view to control of its floods, in accordance with the provisions of section 3 of an Act entitled "An Act to provide for the control of the floods of the Mississippi River and of the Sacramento River, California, and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Cromline Creek. exami-

Vol. 39, p. 541. U.S.C., p. 1090.

Approved, June 26, 1934.

[CHAPTER 753.]

AN ACT

To exempt articles of machinery belting from the tax on floor stocks imposed by the Agriculture Adjustment Act.

June 26, 1934. [S. 3419.] [Public, No. 470.]

Agricultural Adjustment Act, as amended, shall not apply to articles of machinery belting processed wholly or in chief value from cotton, if such processing was completed prior to January 1, 1930.

Sec. 2. Any tax which has been assembled, That the proment Act amended. Floor stocks; taxes. Exemption, machinery belting processed from cotton. Ante, p. 40. Be it enacted by the Senate and House of Representatives of the

tion on any such article prior to the enactment of this Act shall be credited or refunded to the taxpayer, or abated if remaining unpaid: Provided, That claim therefor must be filed within three months after the date of enactment of this Act: Provided further, That no such credit, refund, or abatement shall be made with respect article has been disto any such article which was disposed of by the taxpayer prior to posed of. the filing of the claim therefor.

Provisos Filing claims.

Approved, June 26, 1934.

[CHAPTER 754.]

AN ACT

To amend the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, and for other purposes.

June 26, 1934. [S. 3533.] [Public, No. 471.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of National Memorial Commission and defining its powers and purposes", amended.

Memorial Commission and defining its powers and purposes, amended. approved February 25, 1929, is amended by adding at the end thereof

pointed, in case death, disability, etc.

Successor to be apointed, in case of the following new sentence: "If by reason of death, disability, or other cause, any individual to whom functions are assigned under this section has been or shall be rendered unable to perform such functions, the Commission is authorized to designate or employ such other person as it deems competent to perform such functions.

Federal contribution. Vol. 45, p. 1300.

SEC. 2. Section 5 of such Act of February 25, 1929, is amended to read as follows:

Appropriation thorized.

"Sec. 5. There is hereby authorized to be appropriated the sum of not to exceed \$250,000 for the purpose of defraying the cost of such memorial and landscaping. Such sums as may be appropriated pursuant to this Act shall be advanced to the treasurer of said Commission from time to time by the Secretary of the Treasury upon

Advances, from sums available.

requisition of the executive committee provided for by this Act. SEC. 3. Any funds heretofore made available for expenditure under the provisions of such Act of February 25, 1929, are hereby made available for expenditure under such Act as amended by

Continuation of ap-

Approved, June 26, 1934.

[CHAPTER 755.]

AN ACT

June 26, 1934. [S. 3764.] [Public, No. 472]

To reduce the fee to accompany applications for entry as second-class matter of publications of limited circulation.

editions.

One-half to be returned, if failing entry.

Be it enacted by the Senate and House of Representatives of the Second-class matter, United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to provide for fees for entry lications as. Vol. 47, p. 647, U.S.C., of a publication as second-class matter, and for other purposes", supp. VII, p. 874. approved July 7, 1932 (47 Stat. 647; 39 U.S.C., Supp. VII, sec. approved July 7, 1932 (47 Stat. 647; 39 U.S.C., Supp. VII, sec. 226a), is hereby amended by striking out the first semicolon and inserting in lieu thereof a colon and the following proviso: "Pro-Provisos. inserting in lieu thereof a colon and the following proviso: "Propublications of limited vided, That the fee to accompany applications for entry as secondclass matter of publications having a circulation of not more than two thousand copies shall be \$25; and of publications having a circulation of not more than five thousand copies shall be \$50: Provided further, That one-half of all fees collected under this section shall be returnable to the applicant upon the failure of the applicant's publication to obtain entry under the provisions of this section; ".

Approved, June 26, 1934.

[CHAPTER 756.]

AN ACT

June 26, 1934. [H.R. 9410.] [Public, No. 473.]

Providing that permanent appropriations be subject to annual consideration and appropriation by Congress, and for other purposes.

Balances to be cov-

U.S.C., title 12, sec. 864.

U.S.C., title 12, sec. 1042

Be it enacted by the Senate and House of Representatives of the Permanent appropriation repeal Act.

Designated appropriations, from general fund repealed.

Effective date.

Designated appropriations from the general fund of the Treasury to be disbursed under the appropriation accounts appearing on the be disbursed under the appropriation accounts appearing on the books of the Government, and listed in subsection (b) of this section, are hereby repealed, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury.

(b) (1) Preparation, custody, and delivery of farm-loan bonds, reimbursable (2x152).

(2) Preparation, custody, and delivery of Federal intermediate credit bank securities, reimbursable (2x153).

(3) Preparation and issue of Federal Reserve notes, reimbursable U.S.C., title 12, sec. (2x151)(4) Debentures and other charges (customs). R.S., sec. 3689. (5) Payment for lands sold for direct taxes (2x435). R.S., sec 3689. 38 Stat. 1225. (6) Refunding corporation- and income-tax penalties (Internal Revenue) (2x425). (7) Refunding stamp tax on export bills of lading (2x427).
(8) Refunding stamp tax on foreign bills of exchange (2x433). 32 Stat. 406. 35 Stat. 590. (9) Refunding tax on contingent beneficial interests (2x428). 32 Stat. 406. (10) Refunding tax on certain legacies (2x426). 32 Stat. 406. (11) Surplus proceeds, property sold for internal-revenue taxes R.S , sec. 3195. (2x441)44 Stat. 1015; 45 Stat. (12) Payment of Cape Cod Canal bonds (2x087). 914. U.S.C., title 43, secs. (13) Surveying within land grants (reimbursable) (4x164). 886, 908. 24 Stat. 389; 26 Stat. (14) Fees on certain Indian allotments (4x025).
(15) Distribution of United States Code, Revised Statutes, and 795. 32 Stat. 631; 36 Stat. so forth (4x019). (16) Transportation of Volunteers, War with Spain (8x175). 30 Stat. 1358. (17) Powder and projectiles, proceeds of sales (8x423). 21 Stat. 468. SEC. 2. (a) Effective July 1, 1935, the permanent appropriations specified appropriation titles listed in subsection (b) of this section nual appropriations autro-repealed and such portions of any Acts as make permanent thorized. are repealed, and such portions of any Acts as make permanent appropriations to be expended under such accounts are amended so as to authorize, in lieu thereof, annual appropriations from the general fund of the Treasury in identical terms and in such amounts To be expended in identical terms and amounts as now authorized. as now provided by the laws providing such permanent appropriations, except that any appropriation for "Adjusted losses and contingencies, postal fund", is authorized to be made from the postal Adjusted losses, etc., postal fund, from postal revenues. Any unobligated balances remaining in the permanent revenues. Any unobligated balances remaining in the permanent appropriations under these accounts on June 30, 1935, shall be covered into the surplus fund of the Treasury: Provided, That in addition to amounts in lieu of the permanent appropriation "Meat Inspection, Bureau of Animal Industry (fiscal year)" there is author-Meat inspection. ized to be appropriated such other sums as may be necessary in the U.S.C., title 21, secs. enforcement of the meat inspection laws (U.S.C., title 21, secs. 71 to U.S.C., title 25, sec. 96, inclusive). 161. 25 Stat. 895; 29 Stat. 334; 34 Stat. 326; 45 Stat. 684. (b) (1) Interest on Indian trust funds. (2) Civilization of the Sioux (4x950).
(3) Meat inspection, Bureau of Animal Industry (fiscal year) U.S.C., title 21, sec. (3-114).(4) National Forest Reservation Commission (fiscal year) (3–494). 514. (5) Pay of consular agents for services to American vessels and U.S.C., title 22 sec. 89; title 46, sec. 101. seamen (1x561). U.S.C., title 26, secs. (6) Allowance or drawback (Internal Revenue) (2x438).
(7) Redemption of stamps (Internal Revenue) (2x432).
(8) Refunding legacy taxes, Act March 30, 1928 (2x430). 788, 852. U.S.C., title 31, secs. 711-4. 30 Stat. 464; 45 Stat. 398. 26 Stat. 140; 46 Stat. (9) Refund of excessive duties (Customs) (2x324). 26 Stat. 140; 46 Stat. 739. U.S.C., title 19, sec. 1557. (10) Debentures or drawbacks, bounties, or allowances (Customs) (2x321).U.S.C., title 26, sec. (11) Allowance or drawback (Industrial Alcohol) (2x440).

(12) Permanent International Commission of Congresses of Navi
260 377. U.S.C., title 22, sec. gation (fiscal year) (8-887). (13) Operating and care of canals and other works of naviga- U.S.C., title 33, sec. tion (8x881). (14) Removing sunken vessels or craft obstructing or endangering 414 U.S.C., title 33, sec. navigation (8x888). (15) Removing obstructions in Mississippi, Atchafalaya, and Old 25 Stat. 424; 35 Stat. Rivers (fiscal year (8-961.58).
(16) Maintenance of channel, South Pass, Mississippi River (fiscal U.S.C., title 33, sec. year) (8-961.55).

U.S.C., title 33, sec.

U.S.C., title 33, sec.

U.S.C., title 31, sec. 320. U.S.C., title 19, sec. 1563. U.S.C., title 12, sec. 547.

U.S.C., title 20, sec.

R.S., sec. 3221,

U.S.C., title 39, sec. U.S.C., title 19, secs. 1493, 1559; title 31, sec.

1496, 1000, 711.

U.S.C., title 19, sec. 1613; title 31, sec. 711.

U.S.C., title 33, secs. 604, 605.

U.S.C., title 33, sec. 606.

Repeal of certain specified permanent appropriations and bal-ances carried in.

30 Stat. 1073, 1074.

Future claims herein to be certified to Con-

gress.

30 Stat. 784, 1073; 31 Stat. 217. U.S.C., title 31, secs. 218, 222.

21 Stat. 283.

U.S.C., title 46, sec. 748.

30 Stat. 1225.

30 Stat. 1225.

U.S.C , title 31, sec.

38 Stat. 1214-1215. 40 Stat. 19.

28 Stat. 962, 40 Stat. 389 42 Stat. 1767.

R.S., sec. 4635, p. 902; 30 Stat. 1007; 31 Stat. 1052; 33 Stat. 422.

41 Stat. 69. 45 Stat. 2047; 46 Stat. 2128.

U.S.C., title 49, sec.

(17) Gauging waters of the Mississippi and its tributaries (fiscal year) (8-961.54).

(18) Examinations and surveys at South Pass, Mississippi River

(fiscal year) (8-961.53).

(19) Recoinage of silver coins (2x106).

(20) Refunding duties on goods destroyed (Customs) (2x330). (21) Refunding to national banking associations excess of duty

(2x228)(22) Salaries and expenses, Federal Board for Vocational Educa-

tion (fiscal year) (0-801). (23) Repayment of taxes on distilled spirits destroyed by casualty

(2x431).

(24) Adjusted losses and contingencies, postal fund (9x256). (25) Refunding proceeds of unclaimed merchandise (Customs)

(2x326).
(26) Proceeds of goods seized and sold (Customs) (2x322). (27) Operating snag and dredge boats on upper Mississippi, Illinois, and Minnesota Rivers (fiscal year) (8–962.60).

(28) Operating snag boats on the Ohio River (fiscal year)

Sec. 3. (a) Effective July 1, 1935, the permanent or continuing ap-

(8-962.51)

propriation accounts appearing on the books of the Government and listed in subsection (b) of this section are hereby abolished, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury. Any appropriations to which expenditures under such accounts have been chargeable prior to July 1, 1935, are hereby repealed. Any claims accruing on and after July 1, 1935, which, but for this section properly would have been charged to these appropriation titles, shall, upon proper audit, be certified to Congress for appropriation from

the general fund of the Treasury, which is hereby authorized.

(b) (1) Extra pay to Regular Army, War with Spain (8x172).

(2) Extra pay to Volunteers, War with Spain (8x173).

(3) Claims of officers and men of the Army for destruction of private preparty (8x192). private property (8x123).

(4) Bounty to Fifteenth and Sixteenth Missouri Cavalry Volun-

teers (8x164).

(5) Judgments in admiralty suits under Act of March 9, 1920, ar Department (8x143).

(6) Reimbursement for bringing home remains of officers and

others (Navy) (7x816).

(7) Reimbursement for bringing home remains of officers and

others (War) (8x765).

(8) Indemnity for swamp land to States (4x160).
(9) Proceeds of mineral or reserved lands, Tanana Valley, Alaska, special fund (4x167).

(10) Proceeds of town sites for schools in Oklahoma (4x464). (11) Indemnity to seamen and marines for lost clothing (7x977).

(12) Reimbursement to certain persons for loss of private funds while patients at United States Naval Hospital, Naval Operating Base, Hampton Roads, Virginia (7x973).

(13) Judgments, bounty for destruction of enemies' vessels

(7x956).

(14) Judgment, owners, and so forth, barkentine Mabel I. Meyers,

under Act of August 21, 1916 (7x959). (15) Relief of claimants, explosion at Naval Ammunition Depot,

Lake Denmark, New Jersey (7x975).

(16) Guaranty to carriers after termination of Federal control (0x961).

(17) Reimbursement to carriers of deficits during Government 3U.S.C., title 49, sec. control (0x963).

(18) Guaranty to American Railway Express Company during 41 Stat. 466.

guaranty period (0x965).

(19) Judgments in admiralty suits under Act of March 9, 1920, U.S.C., title 46, sec.

United States Shipping Board (0x556).
(20) Judgments of courts (Revised Statutes, section 3754) U.S.C., title 40, sec.

(7x965).

(21) Bounty for destruction of enemies' vessels (7x961).

30 Stat. 1007.

(22) Claims arising from operations under Wheat Price Guar
45 Stat. 1148; 46 Stat.

1627. antee Act of March 4, 1919 (0x482).

(23) Proceeds sale of town lots, Lawton, Oklahoma (4s174). (24) Proceeds of certain lands in township 8-North, Nebraska

(4s176).

Sec. 4. (a) Effective July 1, 1935, all receipts of the character theretofore credited to the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this carried in. section shall be deposited into the Treasury as miscellaneous receipts, and amounts equal thereto are authorized to be appropriated ited receipts authorized to be drawn annually and amounts equal thereto are authorized to be appropriately from the general fund of the Treasury for the same for same purposes.

Permanent appropripurposes for which such receipts are now appropriated. Appro- ation repealed. priations to which expenditures under such accounts have been chargeable theretofore are hereby repealed, effective on such date: Provided, That if the total of receipts for any one fiscal year for any of the foregoing purposes under this authority is greater than the amounts appropriated for such purpose, such excess is authorized to be appropriated for the following fiscal year.

(b) (1) Wagon roads, bridges, and trails, Alaska fund (4s524).

(2) Public schools, Alaska fund (4s366).

(3) Coos Bay Wagon Road Grent fund (4s169)

(3) Coos Bay Wagon Road Grant fund (4s168).

40 Stat. 1180.

41 Payment to Oklahoma from royalties, oil and gas, south half 44 Stat. 740; 42 Stat. of Red River (4s028).

(5) Five per centum fund of net proceeds of sales of agricultural "U.S.C., title 31, sec. lands in Colorado (4s183).

(6) Annette Islands reserve, Alaska, fund from leases (5s740). 358. U.S.C., title 48, sec. (7) Relief of the indigent, Alaska fund (2s108).

(7) Relief of the indigent, Alaska fund (2s108).

(7) Relief of the indigent, Alaska fund (2s108).
(8) Naturalization fees, publishing citizenship textbooks, Bureau U.S.C., title 8, sec. of Naturalization (6-836).

(9) Additional income tax on railroads in Alaska (2s442).

(10) Ordnance material, proceeds of sales (War) (8s422).

(11) Maintenance and operation of dams and other improvements U.S.C., title 16, sec. of navigable waters (8s876).

(12) Construction, irrigation system, Wapato Project, Wash-

ington, Act February 14, 1920 (5s781).

(13) Maintenance, irrigation system (name of project), Act

August 1, 1914.
(14) Maintenance, irrigation system (name of project), Act May 18, 1916.

(15) Maintenance, power system, Flathead Reservation, Montana,

Act May 10, 1926 (5s796). (16) Power plant, Coolidge Dam, Arizona, electric-current fund,

Act March 7, 1928 (5s804.9).

(17) The Oregon and California Land Grant fund (4s169).
(18) Redistribution, funds for indigent, Alaska fund (2s109).

(19) Building or purchase of vessels for the Coast Guard from proceeds of sales (2s373).

(20) Rebuilding and improving Coast Guard stations from pro- U.S.C., title 14, sec. ceeds of sales (2s363).

(21) Military post construction fund (8s250).

30 Stat. 1007.

26 Stat. 91; 32 Stat. 63; 38 Stat. 1192.

Special funds, etc.

Listed receipts form,

41. 40 Stat. 1180.

U.S.C., title 48, sec. 18 Stat. 388.

41 Stat. 431.

38 Stat. 583.

39 Stat. 142.

45 Stat. 211,

39 Stat. 218; 44 Stat. 915. U.S.C., title 48, sec.

41. U.S.C., title 14, sec.

U.S.C., title 10, sec. 1597.

U.S.C., title 32, sec. 47. 30 Stat. 944; 33 Stat.

211 43 Stat. 1101.

39 Stat. 868. U.S.C., title 48, sec. 39.

43 Stat. 612, 625. 40 Stat. 755.

40 Stat. 103.

44 Stat. 1387. 40 Stat. 1322; 43 Stat.

41 Stat. 1149. U.S.C., title 31, sec.

U.S.C., title 7, sec. 55. U.S.C., title 7, sec. 54. 46 Stat. 1467.

Deposit of Patent Office fees as miscel-laneous receipts.

Appropriation thorized.

Proviso. Refunds.

47 Stat. 513.

Trust fund accounts.

R.S., sec. 3689; 30 Stat. 1007. R. S. 3689; 30 Stat. 1007.

(22) National Guard, section 87, National Defense Act (fiscal year) (8-715).

(23) Indian-school improvements, Act April 21, 1904 (4x794).

(24) Purchase of lands for landless Indians in California, Act March 3, 1925 (4x812).

(25)Yuma Auxiliary Irrigation Project, Arizona (4s507).

(26)Alaskan reindeer fund (4s365).

(27) United States Naval prison activities fund (7s925).

(28) Injury claims assigned, Veterans' Administration (0s878). (29) After June 30, 1936, migratory bird conservation fund (3s362).

(30) Losses on war-risk insurance of American vessels, their

cargoes, and so forth, special fund (0s865).

(31) Gas production, helium plants, Bureau of Mines (6s685).
(32) Perry's Victory Memorial (0s727).
(33) Inland and Coastwise Waterways Service Fund (8x875).
(34) Five Percent Funds to States (4s166).
SEC. 5. (a) Effective July 1, 1935, the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this continuous applicated and appropriate declarates under the continuous applicated and appropriate declarates and

such accounts have been chargeable theretofore are hereby repealed, sums authorized, effective on such date. To the extent that the annual appropriations, deficiency, if any.

which are hereby authorized to be made from the control for th the Treasury for the same purposes for which expenditures are now made from said accounts, are insufficient, there are hereby authorized to be appropriated from the general fund of the Treasury such additional amounts as may be necessary, to the extent that the amounts of such receipts are in excess of the amounts appropriated.

(b) (1) Expenses, Cotton Standards Act (3s535).

(2) Classification of cotton, revolving fund (3s320).
(3) Extra compensation for overtime, Immigration Service (6s803).

Sec. 6. (a) Effective July 1, 1935, receipts theretofore authorized to be credited to the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section shall au- be deposited into the Treasury of the United States as miscellaneous receipts, and there are hereby authorized to be appropriated from the general fund of the Treasury such amounts as may be necessary for the Patent Office: *Provided*, That this paragraph shall be subject to section 18 insofar as such section is applicable to Patent Office fees.

(b) (1) Salaries and expenses, Patent Office (6s289).

Sec. 7. (a) Effective July 1, 1935, any balances credited to the following appropriation accounts on the books of the Government and listed in subsection (b) of this section shall be covered into the surplus fund of the Treasury, and any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed. Claims or payments chargeable to said accounts, upon proper audit, shall be certified to Congress for appropriation

from the general fund of the Treasury, which is hereby authorized.

(b) (1) Prize money to captors (7T987).

(2) Prize money to captors, Spanish War (7T988).

(3) Prize money, Battle of Manila Bay (7T986).

(4) Spanish Indemnity, Interest (2T082).

(5) Spanish Indemnity, Principal (2T082.1).

(6) Trust-fund Interest for Support of Free Schools in South Carolina (2T084).

Sec. 8. Effective July 1, 1935, the appropriation account on the "Recreation fund, books of the Government entitled "Recreation Fund, Army" abolished. (8T078), is abolished and the balance thereof shall be covered into the surplus fund of the Treasury: *Provided*, That an amount equal to the amount so covered into the surplus fund of the Treasury is hereby authorized to be appropriated from the general fund of the Treasury in the event of war, for the recreation, amusement, comfort, contentment and health of the enlisted personnel of the Military Establishment.

Proviso. Use in event of war.

Sec. 9. Effective July 1, 1935, (a) the Naval Pension Fund (7t982) is abolished, any unobligated balance therein, as of that date, shall be covered into the surplus fund of the Treasury, and interest on such fund shall cease; (b) moneys theretofore required by law to be paid into such fund shall be deposited into the Treasury of the United States as miscellaneous receipts; and (c) commencing Annual appropriawith the fiscal year 1936 annual appropriations in such amounts as may be necessary are authorized from the general fund of the Treasury for the maintenance, operation, and improvement of the Naval Home.

Naval Pension Fund abolished.

Sec. 10 (a) Effective July 1, 1935, credit shall be made to the replacement accounts appearing in subsection (b) of this section of only such amounts as represent sales of stores, materials and supplies at actual cost to the War Department.

Sundry replacement accounts

(b) (1) Replacing Army transportation (fiscal year) (8-228).

Replacing clothing and equipage (fiscal year) (8-231).

(3) Replacing subsistence of the Army (8s666).
(4) Replacing regular supplies of the Army (fiscal year) (8-234).

(4) Replacing Signal Corps supplies and equipment (fiscal year) 353.

U.S.C., title 10, sec. (8-545).

(6) Replacing medical supplies (fiscal year) (8-511).

(7) Replacing engineer equipment of troops (fiscal year) (8-315). Replacing engineer operations in the field (fiscal year) 1284.

1.284.

1.284.

1.284.

1.284.

1.284.

(8-316)

(9) Replacing engineer depots (fiscal year) (8-317)

(10) Replacing ordnance and ordnance stores (fiscal year) (8-425).

(11) Replacing barracks and quarters (fiscal year) (8-209).

(12) Replacing water and sewers at military posts (fiscal year) 36 Stat. 257; 38 Stat.

Sec. 11. Effective July 1, 1935, the amounts received from assessments authorized to be made against the Federal home-loan banks designated sources for salaries and expenses of the Federal Home Loan Bank Board covered in. Sec. 11. Effective July 1, 1935, the amounts received from assessfor salaries and expenses of the Federal Home Loan Bank Board, and assessments on carriers under section 14 of the Emergency Railroad Transportation Act of June 16, 1933, shall be covered into the Treasury as miscellaneous receipts. Commencing with the fiscal Annual appropriations authorized. year 1936 there are authorized to be appropriated annually, from the general fund of the Treasury, such sums as may be necessary to defray the cost of such activities.

36 Stat. 257; 38 Stat. 353. 36 Stat. 257; 38 Stat. 353. U.S.C., title 10, sec. 1281. 36 Stat. 257; 38 Stat. 1282 U.S.C., title 10, sec. 1285. U.S.C., title 10, sec. 1284. U.S.C., title 10, sec. 1284. U.S.C., title 50, sec. 73. 36 Stat. 257; 38 Stat. 353.

Unpaid money orders over a year old.

Sec. 12. Effective July 1, 1935, the appropriation account "Unpaid Money Orders More Than One Year Old", carried on the books of the Government, is hereby abolished, and the balance therein shall be covered into the postal revenues, and any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed. There is hereby authorized to be appropriated from postal revenues such sums as may be necessary to make any expenditures which, but for its abolition, would be chargeable to this account.

Permanent appropriations from District of Columbia revenues.

Sec. 13. (a) Effective July 1, 1935, such portion of any Acts as provide appropriations from the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section are hereby repealed, and any balances remaining in, or but for this provision would accrue to, such accounts shall be covered into the Treasury of the United States to the credit of the District of Columbia. Any claims accruing on or after July 1, 1935, which but for this section properly would have been charged to these appropriation accounts shall, upon proper audit, be certified to Con-

gress for appropriation, which is hereby authorized.

(b) (1) Militia fund from fines, District of Columbia (DCs592).

(2) Industrial Home School fund, District of Columbia (DCs463).

(3) Sanitary fund, District of Columbia (DCt619).

(4) New site and buildings, Industrial Home School, District of

Columbia (DCs460).

(5) Payment to tenants excess rentals recovered by Rent Commission, District of Columbia (DCs087).

(6) Escheated estates relief fund, District of Columbia (DCs612).
(7) Redemption of tax-lien certificates, District of Columbia

(DCt618). (8) Washington special tax fund, District of Columbia (DCt623).

(9) Redemption of assessment certificates, District of Columbia (DCt617).

Sec. 14. (a) On and after July 1, 1935, appropriations for the District of Columbia appearing on the books of the Government and listed in subsection (b) of this section are abolished as such, and so much of the several Acts as provide for such appropriations is amended so as to authorize in lieu thereof annual definite appropriations, estimates for which shall be incorporated in the estimates of annual appropriations for the District of Columbia.

(b) (1) Refunding Columbia (DCx602). water rents, and so forth, District of

(2) Refunding taxes, District of Columbia (DCx601).
(3) Extension, and so forth, of streets and avenues, District of Columbia (fiscal year) (DC-114).
(4) Policemen and firemen's relief fund, District of Columbia

(DCt614).

SEC. 15. So much of the Acts of March 4, 1917, and June 15, 1917 (U.S.C., title 34, sec. 530), as provides for the account "Reserve Material, Navy" (7x718), are hereby repealed, and any unexpended "Reserve Material, Navy" account repealed, and any unexpended by Material, Navy" (7x718), are hereby repealed, and any unexpended by balance therein on June 30, 1935, under appropriations provided by such Acts, shall be covered into the surplus fund of the Treasury.

SEC. 16. That portion of the Act of March 3, 1893 (U.S.C., title 34, sec. 550), as provided by balance therein on June 30, 1935, under appropriations provided by such Acts, shall be covered into the surplus fund of the Treasury.

SEC. 16. That portion of the Act of March 3, 1893 (U.S.C., title 34, sec. 550), as provided by balance therein on June 30, 1935, under appropriations provided by such Acts, shall be covered into the surplus fund of the Treasury.

SEC. 16. That portion of the Act of March 3, 1893 (U.S.C., title 34, sec. 550), as provided by balance therein on June 30, 1935, under appropriations provided by such Acts, shall be covered into the surplus fund of the Treasury.

"Pay, miscellaneous, Sec. 16. That portion of the Act of March e, 1000 (0.0.0., 1000 U.S.C., title 31, sec. 31, sec. 644), which provides that "The accounting officers of the Treasury are hereby authorized to credit the appropriation 'Pay, Miscellaneous' with all receipts for interest on the account of the Navy Department with the London fiscal agents, premiums arising from the sales of bills of exchange, and from any depreciation in the value of foreign coin", is hereby repealed, and hereafter such receipts shall be covered into the Treasury as miscellaneous receipts.

Sec. 17. (a) Effective July 1, 1935, the appropriation accounts appearing on the books of the Government and listed in subsection (b) of this section, as well as appropriation accounts bearing similar titles on the books of the Government, are abolished, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into a trust fund receipt account in the Treasury to be designated "Unclaimed Moneys of Individuals Whose Whereabouts Are Unknown." Any appropriations to which expenditures under such accounts have been chargeable theretofore are hereby repealed.

31 Stat. 845.

29 Stat. 411.

28 Stat. 257.

44 Stat. 1386.

41 Stat. 298.

31 Stat 1251

20 Stat. 102-108.

20 Stat. 102-108. 20 Stat. 102-108.

annual appropria-tions in lieu.

20 Stat. 102-107; 22 Stat. 143.

18 Stat. 116; 20 Stat. 103. 30 Stat. 1345; 36 Stat. 268; 37 Stat. 950.

23 Stat. 316; 39 Stat. 718, 809; 43 Stat. 560; 46 Stat. 839, 1398.

onclaimed moneys of individuals.

There are authorized to be appropriated, annually, from such Annual appropriaaccount such sums as may be necessary to meet any expenditures of the character now chargeable to the appropriation accounts abolished by this section. The Secretary of the Treasury or the Commissioners of the District of Columbia, as the case may be, shall submit mitted. with their annual estimates of appropriations an amount necessary

to meet expenditures properly chargeable to this account.

(b) (1) Unclaimed moneys, Food Administration (0t548).

(2) Unclaimed moneys of individuals whose whereabouts are unknown (Veterans' Administration) (0t881).

(3) Unclaimed moneys of former patients, Veterans' Administra-

tion hospital (0t879).

(4) Unclaimed moneys of individuals whose whereabouts are

unknown (relief of American citizens in Europe) (0t542).

(5) Unclaimed moneys of individuals whose whereabouts are unknown (Interior, civil) (4t033).

(6) Unclaimed moneys of individuals whose whereabouts are unknown (Justice) (11755).

(7) Unclaimed moneys of individuals whose whereabouts are unknown (Labor) (6t750).
(8) Unclaimed moneys of individuals whose whereabouts are

unknown (Navy) (7t978).

(9) Unclaimed moneys of individuals whose whereabouts are 547.

U.S.C., title 31, sec.

unknown (State) (1t554).
(10) Unclaimed moneys of individuals whose whereabouts are

unknown (Treasury) (2t080).
(11) Unclaimed moneys of individuals whose whereabout are unknown (War) (8t117).

(12) Unclaimed individual Indian moneys (5t009).

(13) Unclaimed funds of discharged patients, Saint Elizabeths Hospital (4t548).

(14) Return of unclaimed money deposited by clerks of courts U.S.C., title 28, sec. 570. (1x792)

42 Stat. 410.

(15) Outstanding liabilities, lands (4t184).
(16) Return of subscriptions to Liberty Bond issues placed U.S.C., title 43, sec. through American consulates (1T631).

(17) Return of subscriptions to Liberty Bond issues by civilian employees of Naval Establishment (7t979).

(18) Refund to depositors, excess licenses, under section 10 (c),

Trading with the Enemy Act (0T523).

(19) Return of subscriptions to Liberty Bond issues placed through the postmaster at Philadelphia, Pennsylvania (9t340).

(20) Unclaimed funds of Federal prisoners (1t952).

(21) Rosa Goldman—cash bail exacted (6T472).

(22) Unclaimed funds of Jei Bei Ota, deceased Japanese alien

(6T473).

Sec. 18. (a) Effective July 1, 1935, the appropriation accounts erroneously received. appearing on the books of the Government and listed in subsection various appropriation of this section, as well as appropriation accounts bearing simtions for, repealed. ilar titles on the books of the Government, are abolished, and any unobligated balances under such accounts as of June 30, 1935, shall be covered into the surplus fund of the Treasury. Any appropriations, to which expenditures under such accounts have been chargeable theretofore, are repealed. On July 1, 1935, there shall be established to pay lished on the books of the Government an account to be designated all refunds from one "Refund of Moneys Erroneously Received and Covered", and there is authorized to be appropriated such sums as may be necessary to meet any expenditures of the character now chargeable to the appropriation accounts herein abolished and other collections erroneously

Estimates to be sub-

Proviso Limitation.

U.S.C., title 31, sec. 711.

U.S.C., title 26, secs. 377, 788.

U.S.C., title 31, secs. 711-713.

U.S.C., title 31, sec. 711.

39 stat. 286.

U.S.C., title 22, sec. 216. U.S.C., title 31, sec. 711; title 43, secs. 95–97, 263.

U.S.C., title 5, se 600; title 18, sec. 643.

U.S.C., title 16, sec.

U.S.C., title 31, sec.

held by offices.

Deposit of unearned moneys carried in dis-bursing clerk's checking account.

received and covered which are not properly chargeable to any other appropriation. The Secretary of the Treasury shall submit with his annual estimates of appropriations an amount necessary to meet expenditures properly chargeable to this account: Provided, That this authority shall not be deemed to apply to any refunds which, under existing law, may be charged to any accounts for which separate provision is made in this Act.

(b) (1) Refunding moneys erroneously received and covered

(Navy) (7x972).

(2) Refunding moneys erroneously received and covered (Industrial Alcohol) (2x445).

(3) Refunding moneys erroneously received and covered (War) (8x191)

(4) Refunding moneys erroneously received and covered (State) (1x552)

(5) Refunding moneys erroneously received and covered (Cus-

toms) (2x323).
(6) Refunding moneys erroneously received and covered (Treas-

ury) (2x088).
(7) Refunding moneys erroneously received and covered (Justice) (1x791).

(8) Refunding moneys erroneously received and covered (Commerce) (6x050).

(9) Refunding moneys erroneously received and covered (Agri-

culture) (3x010).
(10) Refunding moneys erroneously received and covered (Labor) (6x741).

(11) Refunding moneys erroneously received and covered (Inte-

rior) (4x032).

(12) Refund of tonnage taxes and light dues to citizens of Philippine Islands (6x053).

(13) Refunding passport fees (1x551).

(14) Repayment for lands erroneously sold (4x161).

U.S.C., title 18, sec. (16) Refunding penalties or charges erroneously exacted (Custus. C., title 18, sec. (16) Refunding penalties or charges erroneously exacted (State) (1x552). (15) Refunding penalties or charges erroneously exacted (Cus-

(17) Refunding penalties or charges erroneously exacted (Commerce) (6x052).

(18) Refund to depositors, excess of deposits, national-forests fund (3x208).

(19) Refunding moneys erroneously received and covered (Inter-

Trust fund accounts established for sums held by disbursing Sec. 19. Effective July 1, 1935, moneys received as Patent Office fees; unearned moneys, lands (Interior Department); reentry permit fees (Labor Department); naturalization fees (Labor Department); and registry fees (Labor Department); and held in the official checking accounts of disbursing officers, shall be deposited in the Treasury of the United States to appropriately designated trust-fund receipt accounts and shall be available for refunds, and for transfer of the earned portions thereof into appropriate receipt fund titles on the books of the Government: *Provided*, That donations, quasi-public and unearned moneys carried in official checking accounts of disbursing officers and of others required to account to the Comptroller General (including clerks and marshals of the United States District Courts), administered by officers of the United States by virtue of their official capacity, shall be deposited similarly into the Treasury as trust funds and are hereby appropriated and made available for disbursement under the terms of the trust.

SEC. 20. (a) The funds appearing on the books of the Govern- Certain funds established as trust fund acment and listed in subsections (b) and (c) of this section shall be counts. classified on the books of the Treasury as trust funds. All moneys accruing to these funds are hereby appropriated, and shall be dis-bursed in compliance with the terms of the trust. Hereafter moneys received by the Government as trustee analogous to the funds named in subsections (b) and (c) of this section, not otherwise herein provided for, except moneys received by the Comptroller of the Currency or the Federal Deposit Insurance Corporation, shall likewise be deposited into the Treasury as trust funds with appropriate title, and all amounts credited to such trust-fund accounts are hereby appropriated and shall be disbursed in compliance with the terms of the trust: Provided, That, effective July 1, 1935, expenditures from the trust fund "Soldiers' Home, Permanent Fund" (8t184) shall be "Soldiers' Home, Permanent of management of manage gress, and such appropriations are hereby authorized: Provided deposited with the pay officer of the Naval Home, shall be deposited Naval Home. In the Treasury to the greater of the Naval Home, shall be deposited Naval Home. in the Treasury to the credit of the trust fund account "Personal Funds of Deceased Inmates, Naval Home" (7t989): Provided further, That on June 30 of each year there shall be transferred to the trust fund receipt account directed to be established in section 17 resenting moneys of this Act, such portion of the balances in any trust-fund account abouts are unknown. hereinbefore or hereafter listed or established, except the balances in the accounts listed in subsection (c) of this section, which have been in any such fund for more than one year and represent moneys belonging to individuals whose whereabouts are unknown, and subsequent claims therefor shall be disbursed from the trust fund receipt account "Unclaimed Moneys of Individuals Whose Whereabouts are Unknown", directed to be established in section 17 of this Act.

(1) Philippine special fund (Customs duties) (2s332).

(2) Philippine special fund (Internal Revenue) (2s443).

(3) Unclaimed condemnation awards, Treasury Department title 19, sec. 1301.

(2) U.S.C., title 40, sec. (2t921)

(4) Naval reservation, Olangapo civil fund (7s967).

(5) Personal funds of deceased inmates, Naval Home (7t989).

(6) Return to deported aliens of passage money collected from U.S.C., title 8, sec. steamship companies (6t749).

(7) Vocational rehabilitation, special fund (0c980).
(8) Library of Congress gift fund (0c260).
(9) Library of Congress trust fund, investment account (0c249). (10) Library of Congress trust fund, income from investment 157, sec. title 2, sec.

account (0c246). (11) Library of Congress trust fund, permanent loan (0c248).

(12) Relief and rehabilitation, Longshoremen's and Harbor Workers' Compensation Act (0t476).

(13) Cooperative work, Forest Service (3c209).

(14) Wages and effects of American seamen, Department of Com- 34 Stat. 684; 47 Stat. merce (6t055).

(15) Pension money, Saint Elizabeths Hospital (4t545).

U.S.C., title 24, sec. (16) Personal funds of patients, Saint Elizabeths Hospital U.S.C., title 24, sec. 15546) (4t546).

(17) National Park Service, donations (4c470).
(18) Purchase of lands, national parks, donations (4c408).
(19) Extension of winter-feed facilities of game animals of Yellowstone National Park, donations (4c410).

(20) Indian moneys, proceeds of labor, agencies, schools, and so U.S.C., Supp. VII. forth (5t301).

(21) Funds of Federal prisoners (1t951). 86637°-34--78

Fundsreceived analogous to trust funds

120.

38 Stat. 398.

40 Stat. 619, 1179; 43 Stat. 611. 30 Stat. 751; 37 Stat. 319; 43 Stat. 788. U.S.C., title 2, sec.

U.S.C., title 2, sec.

158. U.S.C., Supp. VII, title 33, secs. 908, 944.

47 Stat. 625.

U.S.C., title 16, sec. 6. 44 Stat. 966; 45 Stat. 237, 1600. 45 Stat. 237, 1600.

22 Stat. 590; 46 Stat

751

U.S.C., title 26, sec.

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U.S.C., title 34, secs.
                         (22) Commissary funds, Federal prisons (1t953).
933, 934.
U.S.C., title 34, sec.
                          (23) Pay of the Navy, deposit fund (7t980)
933.
U.S.C., title 34, sec.
                          (24) Pay of Marine Corps, deposit fund (7t981).
975.
U.S.C., title 10, sec.
                         (25) Pay of the Army, deposit fund (8t183).
(26) Preservation birthplace of Abraham Lincoln (4c395).
906.
39 Stat. 385.
U.S.C., Supp.
title 33, sec. 560.
                          (27) Funds contributed for flood control, Mississippi River, its
                      outlets and tributaries (8c961.86).
45 Stat. 539; U.S.C.,
Supp. VII, sec. 704.
                         (28) Funds contributed for flood control, Sacramento River, Cali-
                      fornia (8c946.54).
                         (29)
                                Effects of deceased employees, Treasury Department (2t089).
  R.S., sec. 306.
                          (30) Money and effects of deceased patients, Public Health Service
                      (2t607)
                                Effects of deceased employees, Department of Commerce
                         (31)
                      (6t054).
(32) Topographic survey of the United States, contributions
U.S.C., title 43, sec. 39.
                      (6c303)
                         (33) National Institute of Health, gift fund (2c616).
  46 Stat. 379.
46 Stat. 379.
                         (34) National Institute of Health, conditional gift fund (2c617).
                         (35) Patients' deposits, United States Marine Hospital, Carville,
                      Louisiana (2t623).
U.S.C., title 24, sec. 711.

(36) Estates of deceased personnel, War Department (8t180).
(37) Effects of deceased employees, Department of Interior

                      (4t029).
44 Stat. 1093; U.S.C.,
Supp. VII, title 16, sec.
425 (e).
U.S.C., Supp. VII,
title 16, sec. 423 (d).
45 Stat. 491.
                         (38) Fredericksburg and Spotsylvania County Battlefields memo-
                      rial fund (8c813).
                         (39) Petersburg National Military Park fund (8c814).
                         (40) Gorgas memorial laboratory quotas (1c304).
  45 Stat. 75, 1106.
                         (41) Contributions to International Boundary
                                                                                                 Commission.
                      United States and Mexico (1c398).
 29 Stat. 32.
                         (42) Salvage proceeds, American vessels (1t581).
                          43) Wages due American seamen (1t630).
 29 Stat. 32.
  45 Stat. 1509.
                         (44) Federal Industrial Institution for Women, contributions for
                      chapel (1c948).
U.S.C., title 24, secs. 111, 136, 139.
                         (45) General post fund, National Homes, Veterans' Administra-
                     tion (0t930).
U.S.C., title 31, sec. 711; title 43, sec. 760. U.S.C., title 31, sec. 711; title 43, sec. 760. U.S.C., title 31, sec. 711; title 43, sec. 760. U.S.C., title 48, sec. 327.

(46) Repatriation of American seamen (1s555).
(47) Expenses, public survey work, general (4s172).
(48) Expenses, public survey work, Alaska (4s173).

                         (49) Funds contributed for improvement of roads, bridges, and
227
                     trails, Alaska (4c528).
 44 Stat. 617.
                         (50) Protective works and measures, Lake of the Woods and
                     Rainy River, Minnesota (88863).

(51) Washington redemption fund (DCt622).
(52) Permit fund, District of Columbia (DCt615).
(53) Unclaimed condemnation awards, National Capital Park

20 Stat. 103; 32 Stat.
635.
28 Stat. 247.
 U.S.C., title 40, sec.
                     and Planning Commission, District of Columbia (DCt629).
  U.S.C., title 40, sec.
                         (54) Unclaimed condemnation awards, Rock Creek and Potomac
                     Parkway Commission, District of Columbia (DCt620).
20 Stat. 102; 33 Stat. 368.
                         (55) Miscellaneous trust-fund deposits, District of Columbia
                      (DCt613).
(56) Surplus fund, District of Columbia (DCt621).
(57) Relief and rehabilitation, District of Columbia Workmen's
 19 Stat. 398; 20 Stat.
103.
U.S.C., Supp. VII,
title 33, secs. 908, 944.
                     Compensation Act (DCt604).
                         (58) Inmates' fund, workhouse and reformatory, District of
 45 Stat. 1290.
                     Columbia (DCt605).
U.S.C., title 31, sec. 711; title 24, sec. 44. 43 Stat. 788. 37 Stat. 319; 30 Stat.
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(59) Soldiers' Home, permanent fund (8t184).

(62) Puerto Rico special fund (Internal Revenue).

(60) Chamber Music Auditorium, Library of Congress (0s259).
(61) Bequest of Gertrude Hubbard (0t256).

(63) Miscellaneous trust funds, Department of State.

(64) Funds contributed for improvement of (name of river or harbor).

(65) Funds advanced for improvement of (name of river or 561. harbor).

(66) Funds contributed for Indian projects.

Miscellaneous trust funds of Indian tribes.

(68) Ship's stores profits, Navy (7s985).(69) Completing Surveys within Railroad Land Grants (4t186).

(70) Memorial to Women of World War, Contributions (0c075). 43 Stat. 665.

39 Stat. 671; 40 Stat. (71) Funds contributed for Memorial to John Ericsson (0s163). 126.

(72) American National Red Cross Building, Contributions (0c426).

(73) Estates of Decedents, Department of State, Trust Fund 75. U.S.C., title 22, sec. (1t580).

(74) Funds due Incompetent Beneficiaries, Veterans' Administration (0t852).

(75) To promote the Education of the Blind (principal) (2t092).
(76) Paving Government Road across Fort Sill Military Reserva-

tion, Okla. (8c664).

(77) Bequest of William F. Edgar, Museum and Library, office of Surgeon General of the Army (8c504).

(78) Funds Contributed for Flood Control (name of river, harbor, 37 Stat. 827; 38 Stat. or project).

(79) Matured obligations of the District of Columbia (2t070).

(80) Naval hospital fund (7s815).

(81) Navy fines and forfeitures (7s984).
(82) To promote the education of the blind (interest) (2x093).

(83) Soldiers' Home, interest account (8x185).

(c) (1) United States Government life insurance fund, Veterans' Administration (0t875).

(2) Estates of deceased soldiers, United States Army (8t189).
(3) Teachers' Retirement Fund Deductions, District of Columbia (DCt624).

(4) Teachers Retirement Fund, Government Reserves, District of Columbia (DCt627)

(5) Expenses of Smithsonian Institution Trust Fund (principal) (0t596).

(6) Civil Service Retirement and Disability Fund (0t843).
(7) Canal Zone Retirement and Disability Fund (0t850).
(8) Foreign Service Retirement and Disability Fund (1t560).

Sec. 21. Hereafter all checks drawn on the Treasurer of the United States, except those issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, shall be payable only until the close of the fiscal year next following the fiscal year in which such checks were issued, and the amounts of all such checks properly due and payable which have not been presented for payment within such period shall be deposited into the Treasury to the credit of a trust fund account entitled "Outstanding Liabilities (fiscal year)", designated by fiscal years in which the checks were issued. The balances in the oustanding liabilities account now carried on the books of the Government, representing the amounts of unclaimed checks, shall be transferred to the account "Outstanding Liabilities, 1934", and any balances remaining therein, or in any succeeding fiscal year account, unclaimed years, to be covered in. for two fiscal years after the deposit therein shall be covered into the surplus fund of the Treasury: Provided, That the balances to the credit of the outstanding liabilities account of any fiscal year which available for paying has not been covered into the surplus fund of the Treasury shall be

U.S.C., title 31, sec. 547. 37 Stat. 827; 38 Stat. 1053.

21 Stat. 70; 34 Stat. 1221; 39 Stat. 158.

U.S.C., title 34, secs. 533, 542. 47 Stat. 424. U.S.C., title 43, sec.

908

46 Stat. 66.

46 Stat. 1423.

33 Stat. 574.

U.S.C., title 24, secs.

U.S.C., title 34, sec. 962. U.S.C., title 20, sec.

U.S.C., title 31, sec. 711; title 24, sec. 44, 513. U.S.C., title 38, secs. 443, 513. U.S.C., title 24, sec. 711

711. 41 Stat. 387, 852; 44 Stat. 727.

44 Stat. 729.

U.S.C., title 20, secs. 54; title 31, sec. 711.

U.S.C., title 5, sec.

U.S.C., Supp. VII, title 22, sec. 21.
Trust fund account established for Government checks more than

available to pay claims on account of any check, the amount of which has been included in any balance so covered into the surplus fund.

Advances for land

SEC. 22. So much of the Act of August 18, 1894 (U.S.C., title 43, SEC. 22. So little 43, sec. sec. 863), as authorizes the Governors of the States therein named to 883. advance money from time to time for the survey of certain townships located within such States, which money shall be reimbursable, is

Moneys in U.S. court registries

hereby repealed.

SEC. 23. Moneys in, or payable into, the registry of any United States court, in the discretion of the court, may be deposited in official checking accounts with the Treasurer of the United States, subject to disbursement on order approved by the court.

Survey of certain accounts to be made by Comptroller General.

SEC. 24. The Comptroller General of the United States shall cause a survey to be made of all inactive and permanent appropriations and/or funds on the books of the Government and also funds in the official custody of officers and employees of the United States, in which the Government is financially concerned, for which no account-Report to Congress. ing is rendered to the General Accounting Office; and he shall submit to the Congress annually, in a special report, his recommendations for such changes in existing law relating thereto as, in his judgment, may be in the public interest.

Sec. 25. The provisions of this Act shall not be construed to alter

Existing provisions not affected.

or amend any existing authorization for an appropriation.

SEC. 26. All Acts and/or parts of Acts inconsistent or in conflict with the provisions of this Act are hereby repealed to the extent

Saving clause.

of such inconsistency or conflict.

Sec. 27. The short title of this Act shall be the "Permanent

Short title.

Appropriation Repeal Act, 1934."

Approved, June 26, 1934.

[CHAPTER 757.]

AN ACT

June 26, 1934. [H.R. 9741.] [Public, No. 474.]

To provide for the taxation of manufacturers, importers, and dealers in certain firearms and machine guns, to tax the sale or other disposal of such weapons, and to restrict importation and regulate interstate transportation thereof.

Act.
Limitation of terms poses of this Actfor purposes of Act.

(a) The term "

of less then eight

Be it enacted by the Senate and House of Representatives of the National Firearms United States of America in Congress assembled, That for the pur-

(a) The term "firearm" means a shotgun or rifle having a barrel of less than eighteen inches in length, or any other weapon, except a pistol or revolver, from which a shot is discharged by an explosive if such weapon is capable of being concealed on the person, or a machine gun, and includes a muffler or silencer for any firearm whether or not such firearm is included within the foregoing definition.

"Machine gun."

(b) The term "machine gun" means any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot, without manual reloading, by a single function of the trigger.

"Person,"

(c) The term "person" includes a partnership, company, asso-

"Continental United States.

ciation, or corporation, as well as a natural person.

(d) The term "continental United States" means the States of

"Importer."

the United States and the District of Columbia.

(e) The term "importer" means any person who imports or brings firearms into the continental United States for sale.

(f) The term "manufacturer" means any person who is engaged

"Manufacturer."

within the continental United States in the manufacture of firearms, or who otherwise produces therein any firearm for sale or disposition.

(g) The term "dealer" means any person not a manufacturer or importer engaged within the continental United States in the business of selling firearms. The term "dealer" shall include

wholesalers, pawnbrokers, and dealers in used firearms.

(h) The term "interstate commerce" means transportation from "Interstate commerce." any State or Territory or District, or any insular possession of the United States (including the Philippine Islands), to any other State or to the District of Columbia.

(i) The term "Commissioner" means the Commissioner of Internal Revenue.

(j) The term "Secretary" means the Secretary of the Treasury. "Secretary."
 (k) The term "to transfer" or "transferred" shall include to "transferred."

sell, assign, pledge, lease, loan, give away, or otherwise dispose of.

Sec. 2. (a) Within fifteen days after the effective date of this ments.

Registration requirements. Act, or upon first engaging in business, and thereafter on or before the 1st day of July of each year, every importer, manufacturer, and dealer in firearms shall register with the collector of internal revenue for each district in which such business is to be carried on his name or style, principal place of business, and places of business in such district, and pay a special tax at the following rates: Importers or manufacturers, \$500 a year; dealers, other than pawnbrokers, \$200 a year; pawnbrokers, \$300 a year. Where the tax is payable on the 1st day of July in any year it shall be computed for one year; where the tax is payable on any other day it shall be computed proportionately from the 1st day of the month in which the liability to portionately from the 1st day of the month in which the liability to the tax accrued to the 1st day of July following.

the provisions of this section to import, manufacture, or deal in firearms without having registered and resid the terms. section.

Sec. 3. (a) There shall be levied, collected, and paid upon firearms transferred in the continental United States a tax at the rate of \$200 for each firearm, such tax to be paid by the transferor, and to be represented by appropriate stamps to be provided by the Commissioner, with the approval of the Secretary; and the stamps herein provided shall be affixed to the order for such firearm, hereinafter provided for. The tax imposed by this section shall be in addition to any import duty imposed on such firearm.

(b) All provisions of law (including those relating to special Applicable administaxes, to the assessment, collection, remission, and refund of internal narcotic tax law to revenue taxes, to the engraving issuance sale accountability can revenue taxes, to the engraving, issuance, sale, accountability, cancelation, and distribution of tax-paid stamps provided for in the internal-revenue laws, and to penalties) applicable with respect to 44, p. 92, 1785; Vol. the taxes imposed by section 1 of the Act of December 17, 1914, as U.S.C., Supp. VII, amended (U.S.C., Supp. VII, title 26, secs. 1040 and 1383), and all other provisions of the internal-revenue laws shall, insofar as not inconsistent with the provisions of this Act, be applicable with respect to the taxes imposed by this Act.

(c) Under such rules and regulations as the Commissioner, with Refund, if for exporthe approval of the Secretary, may prescribe, and upon proof of the exportation of any firearm to any foreign country (whether exported as part of another article or not) with respect to which the transfer tax under this section has been paid by the manufacturer, the Commissioner shall refund to the manufacturer the amount of the tax so paid, or, if the manufacturer waives all claim for the amount to be refunded, the refund shall be made to the exporter.

Sec. 4. (a) It shall be unlawful for any person to transfer a firearm except in pursuance of a written order from the person seeking to obtain such article, on an application form issued in

"Dealer."

Exceptions.

"Commissioner."

Taxes.

Fractional parts of

Transfer tax; stamps.

Unlawful transfers.

Proviso. Identification.

Preparation and distribution of forms.

Identifying marks, etc., to be indicated in orders.

Transferor to transfer stamp-affixed order for each prior transfer.

Notice to Commissioner of transfers exempted,

Registered importers, etc.

Possessors of firearms to register with col-lector within 60 days.

Prosecutions.
Presumption raised
by possession.

Unlawfully receiving or possessing

Seizure and forfeiture.

blank in duplicate for that purpose by the Commissioner. Such order shall identify the applicant by such means of identification as may be prescribed by regulations under this Act: Provided, That, if the applicant is an individual, such identification shall include fingerprints and a photograph thereof.

(b) The Commissioner, with the approval of the Secretary, shall cause suitable forms to be prepared for the purposes above mentioned, and shall cause the same to be distributed to collectors of internal revenue.

(c) Every person so transferring a firearm shall set forth in each copy of such order the manufacturer's number or other mark identifying such firearm, and shall forward a copy of such order to the Commissioner. The original thereof with stamps affixed, shall be returned to the applicant.

(d) No person shall transfer a firearm which has previously been transferred on or after the effective date of this Act, unless such person, in addition to complying with subsection (c), transfers therewith the stamp-affixed order provided for in this section for each such prior transfer, in compliance with such regulations as may be prescribed under this Act for proof of payment of all taxes on such firearms.

(e) If the transfer of a firearm is exempted from the provisions of this Act as provided in section 13 hereof, the person transferring such firearm shall notify the Commissioner of the name and address of the applicant, the number or other mark identifying such firearm, and the date of its transfer, and shall file with the Commissioner such documents in proof thereof as the Commissioner may

by regulations prescribe.

(f) Importers, manufacturers, and dealers who have registered and paid the tax as provided for in section 2(a) of this Act shall not be required to conform to the provisions of this section with respect to transactions in firearms with dealers or manufacturers if such dealers or manufacturers have registered and have paid such tax, but shall keep such records and make such reports regarding such transactions as may be prescribed by regulations under this

Sec. 5. (a) Within sixty days after the effective date of this Act every person possessing a firearm shall register, with the collector of the district in which he resides, the number or other mark identifying such firearm, together with his name, address, place where such firearm is usually kept, and place of business or employment, and, if such person is other than a natural person, the name Acquisitions after effective date need not be registered.

and nome address of an executive officer thereof: Provided, That no person shall be required to register under this section with respect to any firearm acquired after the effective date. respect to any firearm acquired after the effective date of, and in conformity with the provisions of, this Act.

(b) Whenever on trial for a violation of section 6 hereof the defendant is shown to have or to have had possession of such firearm at any time after such period of sixty days without having registered as required by this section, such possession shall create a presumption that such firearm came into the possession of the defendant subsequent to the effective date of this Act, but this presumption shall not

be conclusive.

Sec. 6. It shall be unlawful for any person to receive or possess any firearm which has at any time been transferred in violation of section 3 or 4 of this Act.

Sec. 7. (a) Any firearm which has at any time been transferred in violation of the provisions of this Act shall be subject to seizure and rorretture, and (except as provided in subsection (b)) all the provinal-revenue laws relating to searches, seizures, and fortended.

Fortune of unctamental activities are served as a served served as a served served as a served serve feiture of unstamped articles are extended to and made to apply to the articles taxed under this Act, and the persons to whom this Act

applies.

(b) In the case of the forfeiture of any firearm by reason of a violation of this Act: No notice of public sale shall be required; no such firearm shall be sold at public sale; if such firearm is in the possession of any officer of the United States except the Secretary, such officer shall deliver the firearm to the Secretary; and the Secretary may order such firearm destroyed or may sell such firearm to any State, Territory, or possession (including the Philippine Islands), or political subdivision thereof, or the District of Columbia, or retain it for the use of the Treasury Department or transfer it without charge to any Executive department or independent establishment of the Government for use by it.

Sec. 8. (a) Each manufacturer and importer of a firearm shall identify it with a number or other identification mark approved by the Commissioner, such number or mark to be stamped or otherwise

placed thereon in a manner approved by the Commissioner.

(b) It shall be unlawful for anyone to obliterate, remove, change, lawful. or alter such number or other identification mark. Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of any firearm upon which such number or Possession of deemed sufficient evidence for mark shall have been obliterated, removed, changed, or altered, such conviction. possession shall be deemed sufficient evidence to authorize conviction, unless the defendant explains such possession to the satisfaction of the jury.

Sec. 9. Importers, manufacturers, and dealers shall keep such turers, etc., required to books and records and render such returns in relation to the transkeep records. actions in firearms specified in this Act as the Commissioner, with

the approval of the Secretary, may by regulations require.

SEC. 10. (a) No firearm shall be imported or brought into the infirearms in places United States or any territory under its control or jurisdiction under control of United (including the Philippine Islands), except that, under regulations prescribed by the Secretary, any firearm may be so imported or brought in when (1) the purpose thereof is shown to be lawful and (2) such firearm is unique or of a type which cannot be obtained within the United States or such territory.

(b) It shall be unlawful (1) fraudulently or knowingly to import or bring any firearm into the United States or any territory under tions, possession, etc. its control or jurisdiction (including the Philippine Islands), in violation of the provisions of this Act; or (2) knowingly to assist in so doing; or (3) to receive, conceal, buy, sell, or in any manner Receiving, concealing, etc. facilitate the transportation, concealment, or sale of any such firearm after being imported or brought in, knowing the same to have been imported or brought in contrary to law. Whenever on trial been imported or brought in contrary to law. Whenever on trial Possession deemed for a violation of this section the defendant is shown to have or to conviction; exception. have had possession of such firearm, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains such possession to the satisfaction of the jury.

Sec. 11. It shall be unlawful for any person who is required to terstate commerce. Transportation in incregister as provided in section 5 hereof and who shall not have so registered, or any other person who has not in his possession a stamp-affixed order as provided in section 4 hereof, to ship, carry,

or deliver any firearm in interstate commerce.

Sale, etc., forbidden,

Disposition of.

Identification marks.

Obliteration, etc., un-

Exception.

Rules, etc., to be pre-scribed.

Sec. 12. The Commissioner, with the approval of the Secretary, shall prescribe such rules and regulations as may be necessary for carrying the provisions of this Act into effect.

Transfers, when provisions not applicable.

Sec. 13. This Act shall not apply to the transfer of firearms (1) to the United States Government, any State, Territory, or possession of the United States, or to any political subdivious thereof, or to the District of Columbia; (2) to any peace officer or any Federal officer designated by regulations of the Commissioner; (3) to the transfer of any firearm which is unserviceable and which is transferred as a curiosity or ornament.

Penalty provision.

Sec. 14. Any person who violates or fails to comply with any of the requirements of this Act shall, upon conviction, be fined not more than \$2,000 or be imprisoned for not more than five years, or both, in the discretion of the court.

Excise taxes.

SEC. 15. The taxes imposed by paragraph (a) of section 600 of the fined exempt from.

Vol. 44, p. 93; Vol. 47, by section 610 of the Revenue Act of 1932 (47 Stat. 169, 264), shall U.S.C., Supp. VII, not apply to any firearm on which the tax provided by section 3 of this Act has been paid this Act has been paid.

Saving clause.

Sec. 16. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or cir-

Effective date.

cumstances, shall not be affected thereby.

SEC. 17. This Act shall take effect on the thirtieth day after the date of its enactment.

Citation of title.

Sec. 18. This Act may be cited as the "National Firearms Act." Approved, June 26, 1934.

[CHAPTER 758.]

AN ACT

June 26, 1934. [H.R. 9769.] [Public, No. 475.]

To amend the Act of June 19, 1930 (46 Stat. 788), entitled "An Act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other

Choctaw and Chickasaw Indians, Okla.
Vol. 46, p. 788.
Sales of coal and asphalt deposits authorized.

Be it enacted by the Senate and House of Representatives of the Congress assembled, That the Act of June 19, 1930 (46 Stat. 788), entitled "An Act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctay and Chickasaw National Ch gated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes", is hereby amended so as to permit the Secretary of the Interior, in his discretion, to sell under the provisions of said Act the coal and asphalt deposits referred to therein in tracts of less than nine hundred and sixty acres where such smaller tract or acreage adjoins a developed tract on which active mining operations are being conducted and is needed by the operator in further developing the existing mine: Provided, That where the sale of such smaller tract or acreage is not deemed advisable, the Secretary of the Interior may in his discretion, lease said tract under the same terms and conditions as developed tracts are leased under the Act of April 21, 1932 (47 Stat. 88), with the exception that the minimum tonnage requirement contained therein is hereby waived as to leases on such small tracts.

Proviso.

Vol. 47, p. 89. Minimum tonnage requirement waived.

Approved, June 26, 1934.

CHAPTER 759.1

AN ACT

To amend the Agricultural Adjustment Act with respect to the processing tax _ on hogs.

[Public, No. 476.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (I) section Agricultural Adjustment Act is amended by adding thereto Ante, p. 40. 16 of the Agricultural Adjustment Act is amended by adding thereto the following new section:

e following new section:

"(C) Upon the sale or other disposition of any article processed hogs.

"Tax adjustments.

Tax adjustments. wholly or in chief value from any commodity with respect to which the existing rate of the processing tax is to be increased, or decreased, that on the date such increase, or decrease, first takes effect with respect to the commodity, is held for sale or other disposition (including articles in transit) by any person, and upon the produc-tion of any article from a commodity in process on the date on which the rate of the processing tax is to be increased or decreased, there shall be made a tax adjustment as follows:

Processing tax on

"(1) Whenever the rate of the processing tax on the processing of Adjustmentwhentax the commodity generally or for any designated use or uses, or as to any designated product or products thereof for any designated use or uses, or as to any class of products, is decreased, there shall be credited or refunded to such person an amount equivalent to the difference between the rate of the processing tax payable or paid at the time immediately preceding the decrease in rate and the rate of the processing tax which would have been payable with respect to the commodity from which processed, if the processing had occurred on such date: Provided, however, That no such credit or refund shall be made unless the rate of the processing tax immediately preceding said decrease is equal to, or less than, the rate of the processing tax in effect on the date on which any floor stocks tax was paid prior to the adoption of this amendment.

"(2) Whenever the rate of the processing tax on the processing of the commodity generally, or for any designated use or uses, or as to any designated product or products thereof for any designated use or uses, or as to any class of products, is increased, there shall be levied, assessed and collected a tax to be paid by such person equivalent to the difference between the rate of the processing tax payable or paid at the time immediately preceding the increase in rate and the rate of the processing tax which would be payable with respect to Proviso. Condition.

the commodity from which processed, if the processing had occurred on such date.

When increased.

"(3) Whenever the processing tax is suspended or is to be refunded pended or to be repursuant to a certification of the Secretary of Agriculture to the funded, provisions gov-Secretary of the Treasury, under section 15 (a) of this Act, the Ante, p. 39. provisions of subdivision (1) of subsection (c) of this section shall become applicable.

"(4) Whenever the Secretary of Agriculture revokes any certification to the Secretary of the Treasury under section 15 (a) of this Act, the provisions of subdivision (2) of subsection (c) shall become applicable.

Revocation of cer-tificate.

(5) The provisions of this amendment shall be effective on and after June 1, 1934."

Effective date.

(II) Section 15 (a) of the Agricultural Adjustment Act, as Ante, p. 39.

amended, is amended to read as follows:

"(a) If at any time the Secretary of Agriculture finds, upon value." investigation and after due notice and opportunity for hearing to interested parties, that any class of products of any commodity is of such low value, considering the quantity of the commodity used

Effect of tax upon, to for their manufacture, that the imposition of the processing tax be studied.

Suspension, etc.

Temporary suspension, pending further investigation.

Refunds

Ante, p. 36, repealed.

Ante, pp. 528, 675.

Definition of "processing" as applied to other commodities.

Collecting taxes. Ante, p. 41.

Approved, June 26, 1934.

[CHAPTER 760.]

Whereas it is learned that the Federal Trade Commission, because of lack of time, money, and personnel, intends to close its utilities investigation under S.Res. 83, Seventieth Congress, first session, without investigating various important corporations included among those described in said resolution; and

JOINT RESOLUTION

Whereas it is in the public interest that certain of said corporations be investigated: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission be, and it is hereby, authorized and directed to proceed under the Senate resolution aforesaid until it has investigated such of said corporations as in its judgment should be investigated, but the investigation shall be completed and the Commission's final report, with recommendations, shall be submitted to the Congress not later than the First Monday in January 1936.

Approved, June 26, 1934.

would prevent in whole or in large part the use of the commodity in the manufacture of such products and thereby substantially reduce consumption and increase the surplus of the commodity, then the Secretary of Agriculture shall so certify to the Secretary of the Treasury, specifying whether such result will in his judgment most effectively be prevented by a suspension of the imposition of the processing tax or a refund of the tax paid, with respect to such amount of the commodity or any product thereof as is used in the manufacture of such products, and thereafter, as shall be specified in such certification, (1) the imposition of the processing tax shall be suspended with respect to such amount of the commodity as is used in the manufacture of such products, and thereafter, as shall be specified in such certification, (2) the imposition of the processing tax shall be suspended with respect to such amount of the commodity as is used in the manufacture of such products until such time as the Secretary of Agriculture, after further investigation and due notice and opportunity for hearing to interested parties, revokes his certification to the Secretary of the Treasury, or (3) the Secretary of the Treasury shall refund (in accordance with the provisions of, to such persons and in such manner as shall be specified in, such certification) the amount of any tax paid (prior to the date of any revocation by the Secretary of Agriculture of his certification to the Secretary of the Treasury, upon further investigation and after due notice and opportunity for hearing to interested parties) under this title with respect to such amount of the commodity or any product thereof as is used after the date of such certification

in the manufacture of such products."

Sec. 2. (a) Paragraph (4) of subsection (d) of section 9 of the Agricultural Adjustment Act, as amended, is repealed.

(b) Paragraph (7) of subsection (d) of such section 9 is amended

to read as follows: "(7) In the case of any other commodity, the term 'processing' means any manufacturing or other processing involving a change in

the form of the commodity or its preparation for distribution or use, as defined by regulations of the Secretary of Agriculture; and in prescribing such regulations the Secretary shall give due weight to the customs of the industry." Sec. 3. Section 19 (b) of the Agricultural Adjustment Act, as

amended, is amended by striking out the word "ninety" and inserting in lieu thereof the words "one hundred and eighty".

Federal Trade Commission.

Directed to complete its investigations of

June 26, 1934. [S J.Res. 115.]

[Pub. Res., No. 46.]

Final report, etc., not ter than January

[CHAPTER 761.]

JOINT RESOLUTION

Authorizing an appropriation to defray the expense of erecting the completed Navy and Marine Memorial Monument.

| Matter | Matte

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso May and Marine in the joint resolution entitled "Joint resolution authorizing the lost at sea.

erection on public grounds in the city of Washington District of 20.43, p. 14, amenderection on public grounds in the city of Washington, District of ed. Columbia, of a memorial to the navy and marine services, to be known as 'Navy and Marine Memorial Dedicated to Americans Lost at Sea'", approved February 16, 1924, is amended to read as follows: "Provided, That the site chosen and the design of the memorial shall be approved by the Commission of Fine Arts."

Sec. 2. There is authorized to be appropriated the sum of \$13.000, Sum authorized for transportation and or so much thereof as may be necessary, to be expended under the erection. direction of the Secretary of the Navy (1) for the transportation of the Navy and Marine Memorial Monument to the site on Columbia Island, District of Columbia, chosen for such memorial in accordance with the provisions of such joint resolution of February 16, 1924, (2) for the erection of such memorial on the granite pedestal base already constructed on such site, and (3) for the landscaping and approach work of land adjacent to such base as the Secretary may deem necessary and appropriate.

Proviso.
Approval by Commission of Fine Arts.

Approved, June 26, 1934.

For landscaping, etc.

[CHAPTER 762.]

JOINT RESOLUTION

To simplify the administration of air-mail routes and contracts.

June 26, 1934. [H.J.Res. 366.] [Pub. Res., No. 48.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection United States of America in Congress assembled, That subsection Air-mail routes and (d) of section 3 of the Act entitled "An Act to revise air-mail laws, ice.

And to establish a commission to make a report to the Congress rec
Ante, p. 933. and to establish a commission to make a report to the Congress recommending an aviation policy", approved June 12, 1934, is hereby amended by adding at the end thereof the following sentence: "The Commission created under section 20 of this Act shall review the designations made by the Postmaster General under this subsection. and include in its report to Congress its conclusions reached upon such review."

Air-mail Commission directed to review des-ignations of Postmaster General.

Report to Congress.

Sec. 2. The first sentence of section 15 of such Act is hereby Limiting number of amended to read as follows: "After March 1, 1935, no person hold-tor. ing a contract or contracts for carrying air mail on a primary route shall be awarded or hold any contact i for carrying air mail on any other primary route, nor on more than two additional routes other than primary routes."

Approved, June 26, 1934.

[CHAPTER 763.]

JOINT RESOLUTION

June 26, 1934. [H.J. Res. 371] [Pub. Res. No. 49.]

Authorizing the creation of a Federal Memorial Commission to consider and formulate plans for the construction, on the apex block, Constitution and Pennsylvania Avenues, in the city of Washington, District of Columbia, of a permanent memorial to the memory of Thomas Jefferson, third President of the United States and author of the Declaration of Independence.

Thomas Jefferson Memorial Commission.

¹ So in original.

1244

73d CONGRESS. SESS. II. CHS. 763-765. JUNE 26, 1934.

Whereas there exists no adequate permanent national memorial to Thomas Jefferson in the Nation's Capital; and

Whereas the American people feel a deep debt of gratitude to Thomas Jefferson and in honor of the services rendered by him:

Resolved by the Senate and House of Representatives of the

Therefore be it

Commission estab-lished.

Purpose.

Composition.

United States of America in Congress assembled, That there is hereby established a commission, to be known as the "Thomas Jefferson Memorial Commission", for the purpose of considering and formulating plans for designing and constructing a permanent memorial in the city of Washington, District of Columbia. Said Commission shall be composed of twelve commissioners as follows: Three persons to be appointed by the President of the United States, three Senators by the President of the Senate, three Members of the House of Representatives by the Speaker of the House of Representatives, and three members of the Thomas Jefferson Memorial

Acceptance of contri-butions, etc.

Foundation, Incorporated, to be selected by such foundation.
Sec. 2. The Thomas Jefferson Memorial Commission may in its discretion accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating, preparing, and considering plans and estimates for the improvement, construction, or other expenses incurred, or to be incurred.

Reports.

Sec. 3. That said Commission shall annually submit to Congress a report of the progress of the work of the Commission, Approved, June 26, 1934.

[CHAPTER 764.]

JOINT RESOLUTION

June 26, 1934. [H.J.Res. 376.] [Pub. Res. No. 50.]

To provide an appropriation to enable the United States Army to send certain units to participate in the International Celebration at Fort Niagara, New

International celebration at Fort Niagara, N.Y.
Appropriation for participating expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the War Department to pay the expenses of participation of certain units of the Army of the United States in the events and ceremonies incident to the International Celebration at Fort Niagara, New York, under such regulations as the Secretary of War may prescribe, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$6,000, to remain available until June 30, 1935.

Approved, June 26, 1934.

[CHAPTER 765.]

JOINT RESOLUTION

June 26, 1934. [H.J.Res. 452.]

To provide an additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1935.

Proviso. Pay limitation.

Resolved by the Senate and House of Representatives of the fiscal year 1935.

Resolved by the Senate and House of Representatives of the tatives.

Appropriation for ment of expenses of special and select committees authorized by the payers of special, House of Representatives than the payers of special and select committees authorized by the second transfer of the payers of special and select committees authorized by the second transfer of the fiscal year 1935. money in the Treasury not otherwise appropriated, the sum of \$110,000 for the fiscal year 1935: *Provided*, That no person shall be employed under this appropriation or under the appropriation for this purpose in the Legislative Branch Appropriation Act, 1935, at a rate of compensation in excess of \$3,600 per annum.

To carry out the purposes of H.R. 9145, Seventy-third Congress, Marine Band attendance of the Marine Band at campiments. the National Encampment of the Grand Army of the Republic to be held at Rochester, New York, and the National convention of the Disabled American Veterans of the World War to be held at Colorado Springs, Colorado, there is hereby appropriated, out of any other money in the Treasury not otherwise appropriated, the sum of \$11,000.

Approved, June 26, 1934.

[CHAPTER 845.]

AN ACT

To amend the Act of March 2, 1917, entitled "An Act to provide a civil government for Puerto Rico, and for other purposes.

June 27, 1934, [H.R. 5330.] [Public, No. 477.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a new section is hereby inserted between sections 5a and 6 of the Act entitled

Puerto Rico civil government. Vol. 39, p. 953.

"An Act to provide a civil government for Puerto Rico, and for other purposes", approved March 2, 1917, as amended, as follows:

"SEC. 5b. All persons born in Puerto Rico on or after April 11, states."

1899 (whether before or after the effective date of this Act) and not citizens, subjects, or nationals of any foreign power, are hereby shall not be construed as depriving any person, native of Puerto deprived of citizenship heretofore otherwise law-ship lawfully acquired. fully acquired by such person; or to extend any lawfully acquired. fully acquired by such person; or to extend such citizenship to persons who shall have renounced or lost it under the treaties and/or laws of the United States or who are now residing permanently abroad and are citizens or subjects of a foreign country: And provided further, That any woman, native of Puerto Rico and permation of cervided further, That any woman, native of Puerto Rico and permation of the vol. 42, p. 1022. nently residing therein, who, prior to March 2, 1917, had lost her American nationality by reason of her marriage to an alien eligible to citizenship, or by reason of the loss of the United States citizenship by her husband, may be naturalized under the provisions of section 4 of the Act of September 22, 1922, entitled 'An Act relative to the naturalization and citizenship of married women', as amended."

Approved, June 27, 1934.

[CHAPTER 846.]

AN ACT

To modify the operation of the Indian liquor laws on lands which were formerly Indian lands.

June 27, 1934. [H.R. 8662.] [Public, No. 478.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the special Indian liquor laws shall not apply to former Indian lands of any existing Indian reservation in any case where indian lands modified.

Indian liquor laws. Operation of, on former Indian lands of any existing Indian reservation in any case where indian lands, modified. the land is no longer held by Indians under trust patents or under any other form of deed or patent which contains restrictions against alienation without the consent of some official of the United States Government: Provided, however, That nothing in this Act shall be construed to discontinue or repeal the provisions of the Indian liquor in Indian country, for layer which prohibit the cale wift harter exchange or other disposition. laws which prohibit the sale, gift, barter, exchange, or other disposition of beer, wine, and other liquors to Indians of the classes set forth in the Act of January 30, 1897 (29 Stat.L. 506), and section 241, title 25, of the United States Code.

Vol. 29, p. 506. U.S.C. p. 704.

Approved, June 27, 1934.

[CHAPTER 847.]

AN ACT

June 27, 1934. [H.R. 9620.] [Public, No. 479.]

To encourage improvement in housing standards and conditions, to provide a system of mutual mortgage insurance, and for other purposes.

National Housing

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Housing Act."

TITLE I-HOUSING RENOVATION AND MODERNIZA-TION

Federal Housing Ad-ministration.

CREATION OF FEDERAL HOUSING ADMINISTRATION

Administrator.

Appointment; term of office.

Powers.

Creation.

Section 1. The President is authorized to create a Federal Housing Administration, all of the powers of which shall be exercised by a Federal Housing Administrator (hereinafter referred to as the "Administrator"), who shall be appointed by the President, by and with the advice and consent of the Senate, shall hold office for a term of four years, and shall receive compensation at the rate of \$10,000 per annum. In order to carry out the provisions of this title and titles II and III, the Administrator may establish such agencies, accept and utilize such voluntary and uncompensated services, utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, and appoint such other officers and employees as he may find necessary, and may prescribe their authorities, duties, responsibilities, and tenure and fix their compensation, without regard to the provisions of other laws applicable to the employment or compensation of Delegation of funcofficers or employees of the United States. The Administrator may delegate any of the functions and powers conferred upon him under this title and titles II and III to such officers, agents, and employees as he may designate or appoint, and may make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, for law books and books of reference, and for paper, printing, and binding) as are necessary to carry out the provisions of this title and titles II and III, without regard to any other provisions of law governing the expenditure of public funds. All such compensation, expenses, and allowances shall be paid out of funds made available by this Act.

Insurance of financial institutions.

Authority of Administrator to grant. Post, p. 1263.

Purposes.

On total liability in-curred by administra-

INSURANCE OF FINANCIAL INSTITUTIONS

SEC. 2. The Administrator is authorized and empowered, upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, building and loan associations, installment lending companies, and other such financial institutions, which are approved by him as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them subsequent to the date of enactment of this Act and prior to January 1, 1936, or such earlier date as the President may fix by proclamation, for the purpose of financing alterations, repairs, and improvements upon real Limit on amount to property. In no case shall the insurance granted by the Administrator under this section to any such financial institution exceed 20 per centum of the total amount of the loans, advances of credit, and purchases made by such financial institution for such purpose; and the total liability incurred by the Administrator for such insurance shall in no case exceed in the aggregate \$200,000,000. No insurance

shall be granted under this section to any such financial institution with respect to any obligation representing any such loan, advance of credit, or purchase by it the face amount of which exceeds \$2,000; nor unless the obligation bears such interest, has such maturity, and contains such other terms, conditions, and restrictions, as the Administrator shall prescribe.

Requirements.

LOANS TO FINANCIAL INSTITUTIONS

Loans to financial institutions.

SEC. 3. The Administrator is further authorized and empowered to make loans to institutions which are insured under section 2, and to enter into loan agreements with such institutions, upon the security of obligations which meet the requirements prescribed under section 2. Such loans or agreements may be made for the full face terms. value of the obligations offered as security, and shall be at such rates and upon such terms and conditions as the Administrator shall determine.

Authority to make.

Amounts: rates:

ALLOCATION OF FUNDS

Allocation of funds.

Sec. 4. For the purposes of carrying out the provisions of this tion Finance Corporation titles II and III, the Reconstruction Finance Corporation tion. shall make available to the Administrator such funds as he may deem necessary, and the amount of notes, debentures, bonds, or other deem necessary, and the amount of notes, debentures, bonds, or other Increase of outstand-such obligations which the Corporation is authorized and empowporation. ered to have outstanding at any one time under existing law is hereby increased by an amount sufficient to provide such funds: *Provided*, That the President, in his discretion, is authorized to pro-Provided, That the President, in his discretion, is authorized to provide suuch 1 funds or any portion thereof by allotment to the Admin-by President.

Proviso.

Allotment of funds by President. istrator from any funds that are available, or may hereafter be made available, to the President for emergency purposes.

ANNUAL REPORT

Annual report.

SEC. 5. The Administrator shall make an annual report to the Congress as soon as practicable after the 1st day of January in each year of his activities under this title and titles II and III of this Act.

TITLE II—MUTUAL MORTGAGE INSURANCE

Mutual Mortgage In-surance.

Definitions.

"Mortgage."

DEFINITIONS

Section 201. As used in this title-

(a) The term "mortgage" means a first mortgage on real estate in fee simple or on a leasehold (1) under a lease for not less than ninety-nine years which is renewable, or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed, upon which there is located a dwelling for not more than four families which is used in whole or in part for residential purposes, irrespective of whether such dwelling has a party wall or is otherwise physically connected with another dwelling; and the term "first mortgage" means such classes of first liens as are commonly given to secure advances on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instruments, if any, secured thereby.

"First mortgage."

(b) The term "mortgagee" includes the original lender under a mortgage, and his successors and assigns approved by the Administrator; and the term "mortgagor" includes the original borrower under a mortgage and his successors and assigns.

"Mortgagee."

"Mortgagor."

¹ So in original.

Mutual Mortgage Insurance Fund.

MUTUAL MORTGAGE INSURANCE FUND

Creation.

Use.

SEC. 202. There is hereby created a Mutual Mortgage Insurance Fund (hereinafter referred to as the "Fund"), which shall be used by the Administrator as a revolving fund for carrying out the provisions of this title as hereinafter provided, and there shall be allocated immediately to such Fund the sum of \$10,000,000 out of funds made available to the Administrator for the purposes of this title.

Insurance of mortgages.

INSURANCE OF MORTGAGES

Authority to insure mortgage upon application of mortgagee.

Terms.

Sec. 203. (a) The Administrator is authorized, upon application by the mortgagee, to insure as hereinafter provided any mortgage offered to him within one year from the date of its execution which is eligible for insurance as hereinafter provided, and, upon such terms as the Administrator may prescribe, to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided*, That except with the approval Proviso.

Limits on aggregate principal obligations.

or disbursement thereon: Provided, That except with the approval of the President, (1) the aggregate principal obligation of all mortgages on property and low-cost housing projects existing on the date of enactment of this Act and insured under this title shall not exceed \$1,000,000,000, and (2) the insurance of mortgages on property and low-cost housing projects constructed after the passage of this Act shall be limited to a similar amount.

Requirements, eligi-bility for insurance.

(b) To be eligible for insurance under this section a mortgage shall-

(1) Have, or be held by, a mortgagee approved by the Administrator as responsible and able to service the mortgage properly.

(2) Involve a principal obligation (including such initial service charges and appraisal and other fees as the Administrator shall approve) in an amount not to exceed \$16,000, and not to exceed 80 per centum of the appraised value of the property as of the date the mortgage is executed.

(3) Have a maturity satisfactory to the Administrator, but not

to exceed twenty years.

(4) Contain complete amortization provisions satisfactory to the Administrator requiring periodic payments by the mortgagor not in excess of his reasonable ability to pay as determined by the Administrator.

(5) Bear interest (exclusive of premium charges for insurance) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time, or not to exceed 6 per centum per annum if the Administrator finds that in certain areas or under special circumstances the mortgage market demands it.

(6) Provide, in a manner satisfactory to the Administrator, for the application of the mortgagor's periodic payments (exclusive of the amount allocated to interest and to the premium charge which is required for mortgage insurance as hereinafter provided) to amortization of the principal of the mortgage.

(7) Contain such terms and provisions with respect to insurance, repairs, alterations, payment of taxes, default reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, additional and secondary liens, and other matters as the Administrator may in his discretion prescribe.

(c) The Administrator is authorized to fix a premium charge for the insurance of mortgages under this section (to be determined in accordance with the risk involved) which in no case shall be less than one-half of 1 per centum nor more than 1 per centum per annum of the original face value of the mortgage, and which shall

Premium charge for insurance of mortgages. Determination.

Amount.

Payment.

be payable annually in advance by the mortgagee. If the Adminis- Acceptance of morttrator finds upon the presentation of a mortgage for insurance and the tender of the initial premium charge that the mortgage complies with the provisions of this section, such mortgage may be accepted for insurance by endorsement or otherwise as the Administrator may prescribe; but no mortgage shall be accepted for insurance may prescribe; but no mortgage shall be accepted for insurance Finding of economic under this section unless the Administrator finds that the project required. with respect to which the mortgage is executed is economically

(d) The Administrator is authorized and directed to make such Rules and regularules and regulations as may be necessary to carry out the provisions of this section.

Payment of insur-

Requirements.

Certificate of claim.

Determination

Maturity date.

Taxation of.

PAYMENT OF INSURANCE

Sec. 204. (a) In any case in which the mortgagee under an insured To mortgagee upon mortgage shall have foreclosed and taken possession of the mort-mortgage. gaged property in accordance with regulations of, and within a period to be determined by, the Administrator, or shall, with the consent of the Administrator, have otherwise acquired such property from the mortgagor after default, the mortgagee shall be entitled, upon the prompt conveyance to the Administrator of title to such property satisfactory to him and the assignment to him of all claims of the mortgagee against the mortgagor arising out of the mortgage transaction or foreclosure proceedings, to receive the benefits of the Payment of annual insurance as hereinafter provided. Upon such conveyance and premium charges to assignment the obligation of the mortgagee to pay the annual premium charges for insurance shall cease and the Administrator shall issue to the mortgagee debentures having a total face value to mortgagee. Issue of debentures equal to the value of the mortgage on the date of the delivery of the property to the Administrator, and a certificate of claim, as hereinafter provided. For the purposes of this subsection, the value of the mortgage shall be determined by adding to the amount of the value of mortgage principal of the mortgage which is unpaid on the date of such delivery the amount of all payments which have been made by the mortgagee for taxes and insurance on the property mortgaged in accordance with rules and regulations prescribed by the Administrator.

(b) The debentures issued by the Administrator under this sec- Interest rate on detion to any mortgagee shall bear interest at a rate determined by the Administrator at the time the mortgage was offered for insurance, but not to exceed 3 per centum per annum, payable semi-annually on the 1st day of January and the 1st day of July of each year, and shall mature three years after the 1st day of July following the maturity date of the mortgage in exchange for which the debentures were issued. All such debentures shall be subject only to such Federal, State, and local taxes as the mortgages in exchange for which they are issued would be subject to in the hands of the holder of the debentures and shall be a liability of the Fund Exception, mortgages only: except that debentures issued in exchange for mortgages in fully guaranteed. of the holder of the debentures and shall be a liability of the Fund only; except that debentures issued in exchange for mortgages insured under this section prior to July 1, 1937, shall be fully guaranteed as to principal and interest by the United States. In the bentures when Fund event that the amount in the Fund is insufficient to pay upon de-insufficient. mand, when due, the principal of or interest on any debentures so guaranteed, the Secretary of the Treasury shall pay to the holders the amount thereof which is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such debentures.

Certificate of claim. Amount.

Increment.

Determination of amount to which holder entitled.

(c) The certificate of claim issued by the Administrator to any mortgagee shall be for an amount which the Administrator determines to be sufficient, when added to the face value of the debentures issued to the mortgagee, to equal the amount which the mortgagee would have received if, at the time of the conveyance to the Administrator of the property covered by the mortgage, the mortgagor had redeemed the property and paid in full all obligations under the mortgage and those arising out of the foreclosure proceedings. Each such certificate of claim shall provide that there shall accrue to the holder of such certificate with respect to the face amount of such certificate, an increment at the rate of 3 per centum per annum. The amount to which the holder of any such certificate shall be entitled shall be determined as provided in subsection (d).

(d) If the net amount realized from any property conveyed to the Administrator under this section and the claims assigned therewith, after deducting all expenses incurred by the Administrator in handling, dealing with, and disposing of such property and in collecting such claims, exceeds the face amount of the debentures issued in exchange for the mortgage covering such property plus all interest paid on such debentures, such excess shall be divided as

follows

(1) If such excess is greater than the total amount payable under the certificate of claim issued in connection with such property, the Administrator shall pay to the holder of such certificate the full amount so payable; and any excess remaining thereafter shall be paid to the mortgagor of such property.

(2) If such excess is equal to or less than the total amount payable under such certificate of claim, the Administrator shall pay to the holder of such certificate the full amount of such excess.

(e) Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Administrator shall have power to deal with, rent, renovate, modernize, or sell for cash or credit, in his discretion, any properties conveyed to him in exchange for debentures and certificates of claim as provided in this section; and notwithstanding any other provision of law, the Administrator shall also have power to pursue to final collection, by way of compromise or otherwise, all claims against mortgagors assigned by mortgagees to the Adminis-

trator as provided in this section.

(f) No mortgagee or mortgagor shall have, and no certificate of claim shall be construed to give to any mortgagee or mortgagor, any right or interest in any property conveyed to the Administrator or in any claim assigned to him; nor shall the Administrator owe any duty to any mortgagee or mortgagor with respect to the handling or

disposal of any such property or the collection of any such claim.

Conveyed property; exclusive rights of Administrator.

Authority of Administrator in real estate transactions.

In collection of claims

against mortgagors.

Classification of mort-gages and reinsurance fund. Mortgages, classifica-

tion into groups.

CLASSIFICATION OF MORTGAGES AND REINSURANCE FUND

Sec. 205. (a) Mortgages accepted for insurance under this title shall be so classified into groups that the mortgages in any group shall involve substantially similar risk characteristics and have simi-Credit of receipts and lar maturity dates. Premium charges received for the insurance of any mortgage, the receipts derived from the property covered by the mortgage and claims assigned to the Administrator in connection therewith, and all earnings on the assets of the group account, shall be credited to the account of the group to which the mortgage is Payments therefrom. assigned. The principal of and interest paid and to be paid on debentures issued in exchange for any mortgage, payments made or to be made to the mortgagee and the mortgagor as provided in section 204, and expenses incurred in the handling of the property covered by the mortgage and in the collection of claims assigned to the Administrator in connection therewith, shall be charged to the

account of the group to which such mortgage is assigned.

(b) The Administrator shall also provide, in addition to the General reinsurance several group accounts, a general reinsurance account, the credit in which shall be available to cover charges against such group accounts where the amounts credited to such accounts are insufficient to cover such charges. General expenses of operation of the Federal Housing Administration under this title may be allocated in the discretion. of the Administrator among the several group accounts or charged to the general reinsurance account, and the amount allocated to the fund under section 202 shall be credited to the general reinsurance account.

(c) Whenever the credit balance in any group account exceeds the remaining unpaid principal of the then outstanding mortgages when credit balance assigned to such group by an amount equal to 10 per centum of the exceeds unpaid princitotal premium payments which have theretofore been credited to such account, the Administrator shall terminate the insurance as to that group of mortgages (1) by paying to each of the mortgagees holding an outstanding mortgage assigned to such group a sum sufficient, if such mortgage is in good standing, to pay off such mortgage in full, the payment in each case being for the benefit and account of the mortgagor, and (2) by transferring the remainder of such credit balance to the general reinsurance account provided for in subsection (b).

Methods.

(d) If the credit balance in any group account fails to exceed, When credit balance until the final year prior to the maturity date of the mortgages principal of outstand-assigned to such group, the remaining unpaid principal of the then outstanding mortgages assigned to such group by an amount equal to 10 per centum of the total premium payments which have theretofore been credited to such account, the Administrator shall terminate the insurance as to that group of mortgages (1) by transferring to the general reinsurance account provided for in subsection (b) an amount equal to 10 per centum of the total premium charges theretofore credited to such group account, and (2) by distributing the remainder of such credit balance, if any, pro rata to the mortgagees for the benefit and account of the mortgagors of the mortgages assigned to such group.

(e) No mortgagor or mortgagee of any mortgage insured under Vested rights in this title shall have any vested right in the credit balance in any such account, and the determination of the Administrator as to the amount to be paid by him to any mortgagee or mortgagor under trator's action. this title shall be final and conclusive.

(f) In the event that any mortgagee under an insured mortgage Payment of premium forecloses on the mortgaged property but does not convey such To cease when fore property to the Administrator in accordance with section 204, or closure on insured mortgage in full prior to the maturity thereof, the obligation under the mortgage in full prior to the maturity thereof, the obligation to pay the Payment of premium charge for insurance shall, upon due notice to the Administrator, coase and all rights of the mortgage and the mortgager. strator, cease, and all rights of the mortgagee and the mortgagor under section 204 shall likewise terminate. Thereupon the mortgagor shall be entitled to receive a share of the credit balance of the balance. group account of the group to which the mortgage has been assigned, in such amount as the Administrator shall determine to be equitable and not inconsistent with the preservation of the solvency of the group account and of the Fund.

Entitlement of mort-

Interest.

Investment of funds.

INVESTMENT OF FUNDS

Deposit of surplus Fund money.

Sec. 206. Moneys in the Fund not needed for the current operations of the Federal Housing Administration shall be deposited in the Treasury of the United States to the credit of the Fund, or invested in bonds or other obligations of the United States. The Treasurer of the United States is hereby directed to pay interest semiannually on any amount so deposited at a rate not greater than the prevailing rate on long-term Government bonds, such rate to be computed on the average amount of such bonds outstanding during any such semiannual period. The Administrator may, with the approval of the Secretary of the Treasury, purchase, at not to exceed par, in the open market, debentures issued under the provisions of section 204. Debentures so purchased shall be canceled and not reissued, and the several group accounts to which such debentures have been charged shall be charged with the amounts used in making such purchases.

Purchase of debentures

Cancellation.

Low-cost housing in-

Insurance of first

mortgages.

Premium charges. Sections applicable. Ante. p 1247.

Proviso Aggregate amount.

LOW-COST HOUSING INSURANCE

Sec. 207. The Administrator may also insure first mortgages, other

than mortgages defined in section 201 (a) of this title, covering property held by Federal or State instrumentalities, private limited dividend corporations, or municipal corporate instrumentalities of one or more States, formed for the purpose of providing housing for persons of low income which are regulated or restricted by law or by the Administrator as to rents, charges, capital structure, rate of Terms of mortgages. return, or methods of operation. Such mortgages shall contain terms, conditions, and provisions satisfactory to the Administrator but need not conform to the eligibility requirements of section 203. Subject to the right of the Administrator to impose a premium charge in excess of, or less than, the amount specified for mortgages defined in section 201 (a), the provisions of sections 204 and 205 shall be applicable to mortgages insured under this section: Provided, That the insurance with respect to any low-cost housing project shall not exceed \$10,000,000.

Taxation provisions.

TAXATION PROVISIONS

Exemption not accorded property acquired by Administrator.

Sec. 208. Nothing in this title shall be construed to exempt any real property acquired and held by the Administrator under this title from taxation by any State or political subsidivision thereof, to the same extent, according to its value, as other real property is taxed.

Statistical and economic surveys

Authority to make.

STATISTICAL AND ECONOMIC SURVEYS

Sec. 209. The Administrator shall cause to be made such statistical surveys and legal and economic studies as he shall deem useful to Publication of regage market in the United States, and shall publish from time to time the results of such surveys and studies. studies and surveys, and expenses of publication and distribution of the results of such studies and surveys, shall be charged as a general expense of the Fund.

National Mortgage Associations.

TITLE III—NATIONAL MORTGAGE ASSOCIATIONS

Creation and powers.

CREATION AND POWERS OF NATIONAL MORTGAGE ASSOCIATIONS

Administrator to pro-vide for establishing.

Authority.

Section 301. (a) The Administrator is further authorized and empowered to provide for the establishment of national mortgage associations as hereinafter provided, which shall be authorized, sub-

ject to rules and regulations to be prescribed by the Administrator, (1) to purchase and sell first mortgages and such other first liens as Transac mortgages are commonly given to secure advances on real estate held in fee simple or under a lease for not less than ninety-nine years, under the laws of the State in which the real estate is located, together with the credit instruments, if any, secured thereby, such mortgages not to exceed 80 per centum of the appraised value of the property as of the date the mortgage is purchased; and (2) to borrow money for such purposes through the issuance of notes, bonds, debentures, or other such obligations as hereinafter provided.

Transactions in first

Borrow money.

(b) Any number of natural persons, not less than five, may apply Application for authority to establish. to the Administrator for authority to establish a national mortgage association, and at the time of such application shall transmit to the Administrator articles of association, signed and sealed by each of Articles of association the incorporators and acknowledged before a judge of any court of to accompany. record or a notary public, which shall contain (1) the name of the association, (2) the place where its principal office or place of business is to be located, and (3) such information with respect to its capital stock as the Administrator may by regulation require. If the Administrator is of the opinion that the incorporators transmitting the articles of association are responsible persons and that such articles of association are satisfactory in all respects, he shall issue or cause to be iccurate a responsible persons. or cause to be issued to such incorporators a certificate of approval, and the association shall become, as of the date of issuance of such certificate, a body corporate by the name set forth in its articles of association.

Contents.

Issue of certificate of

(c) Each national mortgage association created under this section Powers of association. shall have succession from the date of its organization unless it is dissolved by act of its shareholders, or its franchise becomes forfeited by order of the Administrator as hereinafter provided, or it is dissolved by Act of Congress, and shall have power-

To adopt and use a corporate seal.
 To make contracts.
 To sue and be sued, complain and defend, in any court of

law or equity, State or Federal.

(4) To conduct its business in any State of the United States or in the District of Columbia and to have one or more offices in such State or in the District of Columbia, one of which offices shall be designated at the time of organization as its principal office.

(5) To do all things as are necessary or incidental to the proper management of its affairs and the proper conduct of its business.

(d) No association shall transact any business except such as is incidental to its organization until it has been authorized to do so by the Administrator. Each such association shall have a capital Capital stock requirestock of a par value of not less than \$5,000,000, and no authorization to commence business shall be granted by the Administrator to any such association until he is satisfied that such capital stock has been subscribed for at not less than par and paid in full in cash or Government securities.

Limitation on trans-

(e) Each national mortgage association, for the purpose of all association. Actions by or against actions by or against it, real, personal, or mixed, and all suits in equity, shall be deemed a citizen of the State in which its principal office is located.

(f) No individual, association, partnership, or corporation, except Exclusive use of term, "National Mortassociations organized under this section, shall hereafter use the gage Association." words "national mortgage association", or any combination of such words, as the name or a part thereof under which he or it shall do business. Every individual, partnership, association, or corporation

Penalty for violation. violating this prohibition shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding \$100 or imprisonment not exceeding thirty days, or both, for each day during which such applicable.

exceeding thirty days, or both, for each day during which such violation is committed or repeated. The provisions of section 5243 of the Revised Statutes shall not apply to associations created under this title.

Obligations of associations.

Authority to have outstanding.

Aggregate amount.

OBLIGATIONS OF NATIONAL MORTGAGE ASSOCIATIONS

SEC. 302. Each national mortgage association is authorized to issue and have outstanding at any time notes, bonds, debentures, or other such obligations in an aggregate amount not to exceed (1) ten times the aggregate par value of its outstanding capital stock, and in no event to exceed (2) the current face value of mortgages held by it and insured under the provisions of title II of this Act, plus the amount of its cash on hand and on deposit and the amount of its investments in bonds or obligations of, or guaranteed as to principal and interest by, the United States. No national mortgage association shall borrow money except through the issuance of such notes, bonds, debentures, or other obligations, or issue any such notes, bonds, debentures, or other obligations, except with the approval of the Administrator and under such rules and regulations as he shall prescribe.

Borrowing by associ-ation, restriction.

Investment of funds.

INVESTMENT OF FUNDS

Sec. 303. Moneys of any national mortgage association not invested in first mortgages or other liens as provided in section 301, or in operating facilities approved by the Administrator, shall be kept in cash on hand or on deposit, or invested in bonds or other obligations of, or guaranteed as to principal and interest by the United States; except that each such association shall keep and maintain such reserves as the Administrator shall by rules and regulations prescribe.

Rules governing maintenance of

Management of acquired property.

MANAGEMENT OF ACQUIRED PROPERTIES

Sec. 304. Subject to such rules and regulations as the Administrator shall prescribe, any national mortgage association shall have power to deal with, rent, renovate, modernize, or sell for cash or credit, or otherwise dispose of, with a view to assuring a maximum financial return to the association, any property acquired by it as a result of foreclosure proceedings.

Examinations liquidation.

Powers of Administrator.

When finding violations hereof finding

Of capital.

impairment of

EXAMINATIONS AND LIQUIDATION

Sec. 305. The Administrator shall have power to provide for the periodic examination of the affairs of every national mortgage association and shall have power to terminate the existence of any such association and order its liquidation and the winding up of its affairs of in any case in which the Administrator finds that the association is violating any provisions of this title or any rule or regulation thereunder, or in any case in which he finds that the association is conducting its business in an unsafe and unbusinesslike manner. In any case in which the Administrator finds, upon examination of the affairs of any such association, that the capital of such association is substantially impaired, and if, within thirty days after the Administrator has notified the association of the existence of such impairment, the capital is not restored to the satisfaction of the Administrator, he shall terminate the existence of such association and shall

order the liquidation and winding up of its affairs. The expenses examples order the liquidation and winding up of its affairs. of examination of any such association shall be assessed upon and paid for by the association in such manner and under such rules and regulations as the Administrator shall prescribe. For the purposes of this section, examiners appointed by the Administrator shall be subject to the same requirements, responsibilities, and penalties as are applicable to examiners under the national banking laws and the Federal Reserve Act, as amended, and, in the exercise of their functions, shall have the same powers and privileges as are vested in such examiners by law.

Examination ex-

RULES AND REGULATIONS

SEC. 306. The Administrator shall have power to provide by rules Governing liquidation, and regulations for the liquidation, reorganization, consolidation, or consolidation, merger merger of national mortgage associations, including the power to servator or receiver. appoint a conservator or a receiver to take charge of the affairs of any such association, to require an equitable readjustment of its capital structure, to release it from the control of a conservator or receiver, and to permit its further operation.

Rules and regula-

TAXATION PROVISIONS

Sec. 307. National mortgage associations shall be subject to taxation to the same extent as State-chartered corporations, except that no State or political subdivision thereof shall impose any tax on any such association or its franchise, capital, reserves, surplus, loans, income, or stock, or its securities or the income therefrom, at a greater rate than that imposed by such State on corporations, domestic or foreign, engaged in similar business within the State. Nothing herein shall be construed to exempt the real property of such associations from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

Taxation provisions.

Exemptions.

Real property taxes.

DEPOSITARIES OF PUBLIC MONEYS

Sec. 308. When designated for that purpose by the Secretary of the Treasury any national mortgage association shall be a depositary of public money, except receipts from customs, under such regulations as may be prescribed by said Secretary; and it may also be employed as a financial agent of the Government; and it shall perform all such reasonable duties as a depositary of public money and financial agent of the Government as may be required of it. Any national mortgage association may act as agent for any other instrumentality of the United States when designated for that purpose by such instrumentality.

Depositaries of public moneys.

Designation by Administrator.

TITLE IV-INSURANCE OF SAVINGS AND LOAN ACCOUNTS

Insurance of Savings and Loan Accounts.

DEFINITIONS

SCTION ¹ 401. As used in this title—

(a) The term "insured institution" means an institution whose "Insured instituaccounts are insured under this title.

(b) The term "insured member" means an individual, partnership, association, or corporation which holds an insured account.

(c) The term "insured account" means a share, certificate, or

deposit account of a type approved by the Federal Savings and Loan Insurance Corporation which is held by an insured member

Definitions.

"Insured member."

"Insured account."

¹ So in original.

in an insured institution and which is insured under the provisions

"Default."

of this title.

(d) The term "default" means an adjudication or other official determination of a court of competent jurisdiction or other public authority pursuant to which a conservator, receiver, or other legal custodian is appointed for an insured institution for the purpose of liquidation.

Federal Savings and Loan Insurance Cor-poration.

CREATION OF FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Composition.

Creation.

Sec. 402. (a) There is hereby created a Federal Savings and Loan Insurance Corporation (hereinafter referred to as the "Corporation"), which shall insure the accounts of institutions eligible for insurance as hereinafter provided, and shall be under the direction of a board of trustees to be composed of five members and operated by it under such bylaws, rules, and regulations as it may prescribe for carrying out the purposes of this title. The members of the Federal Home Loan Bank Board shall constitute the board of trustees of the Corporation and shall serve as such without additional compensation. The principal office of the Corporation shall be in the District of Columbia.

Board of trustees.

(b) The Corporation shall have a capital stock of \$100,000,000, which shall be divided into shares of \$100 each. The total amount of such capital stock shall be subscribed for by the Home Owners' Loan Corporation which is hereby authorized and directed to subscribe for such stock and make payment therefor in bonds of the Home Owners' Loan Corporation. The Corporation shall issue to the Home Owners' Loan Corporation receipts for payment for or on account of such stock, which shall serve as evidence of the ownership thereof, and the Home Owners' Loan Corporation shall be entitled to the payment of dividends on such stock out of net earnings at a rate equal to the interest rate on such bonds, which divi-

Principal office. Capital stock, amount.

Subscription.

Payment.

Receipts to issue.

Dividends.

dends shall be cumulative. (c) Upon the date of enactment of this Act, the Corporation shall become a body corporate, and shall be an instrumentality of the United States, and as such shall have power-

Corporate powers.

(1) To adopt and use a corporate seal. (2) To have succession until dissolved by Act of Congress.
(3) To make contracts.

(4) To sue and be sued, complain and defend, in any court

of law or equity, State or Federal.

(5) To appoint and to fix the compensation, by its board of trustees, of such officers, employees, attorneys, or agents, as shall be necessary for the performance of its duties under this title, without regard to the provisions of any other laws relating to the employment or compensation of officers or employees of the United States. Nothing in this title or any other provision of law shall be construed to prevent the appointment and compensation as an officer, attorney, or employee of the Corporation, of any officer, attorney, or employee of any board, corporation, commission, establishment, executive department, or instrumentality of the Government. The Corporation, with the consent of any board, corporation, commission, establishment, executive department, or instrumentality of the Government, including any field service thereof, may avail itself of the use of information, services, and facilities thereof in carry-

Appointments.

Assistance of other Federal establish-

Fiscal transactions.

ing out the provisions of this title.
(d) For the purposes of this title, the Corporation shall have power to borrow money, and to issue notes, bonds, debentures, or

other such obligations upon such terms and conditions as the board of trustees may determine. Moneys of the Corporation not required moneys. for current operations shall be deposited in the Treasury of the United States, or upon the approval of the Secretary of the Treasury, in any Federal Reserve bank, or shall be invested in obligations of, or guaranteed as to principal and interest by, the United States. When designated for that purpose by the Secretary of the Treasury, the Corporation shall be a depositary of public money under agent. such regulations as may be prescribed by the Secretary of the Treasury, and may also be employed as fiscal agent of the United States, and it shall perform all such reasonable duties as depositary

of public money and fiscal agent as may be required of it.

(e) All notes, bonds, debentures, or other such obligations issued porate bonds, debenby the Corporation shall be exempt, both as to principal and inter-tires, etc. est, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority. The Corporation, includmunicipality, or local taxing authority. The Corporation, including its franchise, capital, reserves. surplus, and income, shall be exempt from all taxation now or hereafter imposed by the United States, by any Territory, dependency, or possession thereof, or by any State, county, municipality, or local taxing authority; except that any real property of the Corporation shall be subject to State, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

(f) The Corporation shall make an annual report of its operations to the Congress as soon as practicable after the 1st day of

January in each year.

(g) No individual, association, partnership, or corporation shall "Exclusive use of term, use the words "Federal Savings and Loan Insurance Corporation", Loan Insurance Corporation or any combination of any of these words which would have the effect of leading the public in general to believe there was any connection, actually not existing, between such individual, association, partnership, or corporation and the Federal Savings and Loan Insurance Corporation, as the name under which he or it shall hereafter do business. No individual, association, partnership, or corporation shall advertise or otherwise represent falsely by any device whatsospecting insurance of ever that his or its accounts are insured or in anywise guaranteed by the Federal Savings and Loan Insurance Corporation, or by the Government of the United States, or by any instrumentality thereof; by any device whatsoever the extent to which or the manner in sured. Which accounts are in-which its accounts are insured by the Federal Savings and I Insurance Corporation. Every individual, partnership, association, or corporation violating this subsection shall be punished by a fine of not exceeding \$1,000, or by imprisonment not exceeding one year, or both.

INSURANCE OF ACCOUNTS AND ELIGIBILITY PROVISIONS

SEC. 403. (a) It shall be the duty of the Corporation to insure the Organizations eligible for insurance. accounts of all Federal savings and loan associations, and it may insure the accounts of building and loan, savings and loan, and homestead associations and cooperative banks organized and operated according to the laws of the State, District, or Territory in which they are chartered or organized.

(b) Application for such insurance shall be made immediately by each Federal savings and loan association, and may be made at any time by other eligible institutions. Such applications shall be in

Deposit of surplus

Investments.

Corporation as fiscal

Franchise, capital, re-

Real property taxes.

Annual report.

Penalty provisions.

Insurance of accounts, eligibility provisions.

Applications.

Form.

Agreement to pay examination costs.

To permit examina-tions after insurance granted.

To pay premium charges.

Additional agreement.

Agree not to issue securities guaranteeing definite return or maturity.

To carry on unau-thorized sales plan.

Agree to provide adequate reserves.

Regulations.

Rejection of application. Grounds for,

Notification of ap-

Certificate to issue.

Factors to be con-sidered when applica-tion pending.

Admission fee.

Premiums on insurance.

Payment by institu-tion having approved application.

Amount.

such form as the Corporation shall prescribe, and shall contain an agreement (1) to pay the reasonable cost of such examinations as the Corporation shall deem necessary in connection with such insurance, and (2) if the insurance is granted, to permit and pay the cost of such examinations as in the judgment of the Corporation may from time to time be necessary for its protection and the protection of other insured institutions, to permit the Corporation to have access to any information or report with respect to any examination made by any public regulatory authority and to furnish any additional information with respect thereto as the Corporation may require, and to pay the premium charges for insurance as hereinafter provided. Each applicant for such insurance shall also file with its application an agreement that during the period that the insurance Fitty-mile limit on is in force it will not make any loans beyond fifty miles from its principal office except with the approval of, and pursuant to regulations of, the Corporation, but any applicant which, prior to the date of enactment of this Act, has been permitted to make loans beyond such fifty mile limit may continue to make loans within the territory in which the applicant is operating on such date; will not, after it becomes an insured institution, issue securities which guarantee a definite return or which have a definite maturity except with the specific approval of the Corporation, or issue any securities the form of which has not been approved by the Corporation; will not carry on any sales plan or practices, or any advertising, in violation of regulations to be made by the Corporation; will provide adequate reserves satisfactory to the Corporation, to be established in accordance with regulations made by the Corporation, before paying dividends to its insured members; but such regulations shall require the building up of reserves to 5 per centum of all insured accounts within To prohibit payment a reasonable period, not exceeding ten years, and shall prohibit the payment of dividends from such reserves, or the payment of any

dividends if any losses are chargeable to such reserves.

(c) The Corporation shall reject the application of any applicant if it finds that the capital of the applicant is impaired or that its financial policies or management are unsafe; and the Corporation may reject the application of any applicant if it finds that the character of the management of the applicant or its home financing policy is inconsistent with economical home financing or with the purposes of this title. Upon the approval of any application for insurance the Corporation shall notify the applicant, and upon the payment of the initial premium charge for such insurance, as provided in section 404, the Corporation shall issue to the applicant a certificate stating that it has become an insured institution. In considering applications for such insurance the Corporation shall give full consideration to all factors in connection with the financial condition of applicants and insured institutions, and shall have power to make such adjustments in their financial statements as the Corporation finds to be necessary

(d) Any applicant which applies for insurance under this title after the first year of the operation of the Corporation, shall pay an admission fee based upon the reserve fund of the applicant which, in the judgment of the Corporation, is an equitable contribution.

PREMIUMS ON INSURANCE

Sec. 404. (a) Each institution whose application for insurance is approved by the Corporation shall pay to the Corporation, in such manner as it shall prescribe, a premium charge for such insurance equal to one-fourth of 1 per centum of the total amount of all

accounts of the insured members of such institution plus any creditor obligations of such institution. Such premium shall be paid at the time the certificate is issued by the Corporation under section 403, the Corporation equal to 5 per centum of all insured accounts and tablished.

Annual payments the Corporation equal to 5 per centum of all insured accounts and tablished.

creditor obligations of all insured institutions; except that under regulations prescribed by the Corporation and tablished. regulations prescribed by the Corporation such premium charge may be paid semiannually. If at any time such reserve fund falls below such 5 per centum, the payment of such annual premium charge for ments. insurance shall be resumed and shall be continued until the reserve is brought back to such 5 per centum. For the purposes of this subsection, the amount in all accounts of insured members and the amount of accounts amount of creditor obligations of any institution may be determined from adjusted statements made within one year prior to the approval of the application of such institution for insurance, or in such other manner as the Corporation may by rules and regulations prescribe.

(b) The Corporation is further authorized to assess against each Assessment of additional premiums. insured institution additional premiums for insurance until the amount of such premiums equals the amount of all losses and expenses of the Corporation; except that the total amount so assessed in any one year against any such institution shall not exceed one-fourth of 1 per centum of the total amount of the accounts of its

insured members and its creditor obligations.

PAYMENT OF INSURANCE

SEC. 405. (a) Each institution whose application for insurance institution having apunder this title is approved by the Corporation shall be entitled to proved application eninsurance up to the full withdrawal or repurchasable value of the titled to. accounts of each of its members and investors (including individuals, partnerships, associations, and corporations) holding withdrawable or repurchasable shares, investment certificates, or deposits, in such institution; except that no member or investor of any such institution shall be insured for an aggregate amount in excess of \$5,000.

(b) In the event of a default by any insured institution the Corpo- procedure upon deration shall promptly determine the insured members thereof and poration. the amount of their insured accounts, and shall make available to each of them, after notice by mail at his last-known address as shown by the books of the insured institution, and upon surrender and transfer to the Corporation of his insured account, either (1) a new insured account in an insured institution not in default, in an amount equal to the insured account so transferred, or (2) at the option of the insured member, the amount of his account which is insured under this section, as follows: Not to exceed 10 per centum in cash, and 50 per centum of the remainder within one year, and the balance within three years from the date of such default, in negotiable noninterest-bearing debentures of the Corporation. The Certificate regarding Corporation shall furnish to all insured institutions a certificate posits. stating that the insurance of accounts in such institution is to be paid in the manner described in this subsection.

LIQUIDATION OF INSURED INSTITUTIONS

Sec. 406. (a) In order to facilitate the liquidation of insured Authority of Corpo-institutions, the Corporation is authorized (1) to contract with any Contracts with in-insured institution with respect to the making available of insured accounts to the insured members of any insured institution in default, or (2) to provide for the organization of a new Federal organization of new savings and loan association for such purpose subject to the savings and loan association. approval of the Federal Home Loan Bank Board.

Time of payment.

Resumption of pay-

Determination

Payment of insur-ance.

Liquidation of in-sured institutions.

Appointment of corporation as conservator, receiver. Powers.

Distribution of net proceeds.

Corporation as legal custodian of insured institution other than savings and loan association.

Powers upon appointment.

Powers when not appointed.

(b) In the event that a Federal savings and loan association is in default, the Corporation shall be appointed as conservator or receiver and is authorized as such (1) to take over the assets of and operate such association, (2) to take such action as may be necessary to put it in a sound and solvent condition, (3) to merge it with another insured institution, (4) to organize a new Federal savings and loan association to take over its assets, or (5) to proceed to liquidate its assets in an orderly manner, whichever shall appear to be to the best interests of the insured members of the association in default; and in any event the Corporation shall pay the insurance as provided in section 405 and all valid credit obligations of such association. The net proceeds which may arise from the orderly liquidation of the assets of any such association, after reimbursement of the Corporation of all amounts paid by it for such insurance, shall be distributed pro rata among the shareholders of the association.

pro rata among the shareholders of the association.

(c) In the event any insured institution other than a Federal savings and loan association is in default, the Corporation shall have authority to act as conservator, receiver, or other legal custodian of such insured institution, and the services of the Corporation are hereby tendered to the court or other public authority having the power of appointment. If the Corporation is so appointed, it shall have the same powers and duties with respect to the insured institution in default as are conferred upon it under subsection (b) with respect to Federal savings and loan associations. If the Corporation is not so appointed it shall pay the insurance as provided in section 405, and shall have power (1) to bid for the assets of the insured institution in default, (2) to negotiate for the merger of the insured institution or the transfer of its assets, or (3) to make any other disposition of the matter as it may deem in the best interests of all concerned.

(d) In connection with the liquidation of insured institutions in default, the Corporation shall have power to carry on the business of and to collect all obligations to the insured institutions, to settle, compromise, or release claims in favor of or against the insured institutions, and to do all other things that may be necessary in connection therewith, subject only to the regulation of the court or other public authority having jurisdiction over the matter.

Annual report of corporation.

(e) The Corporation shall make an annual report to the Congress of the operation by it of insured institutions in default, and shall keep a complete record of the administration by it of the assets of such insured institutions which shall be subject to inspection by any officer of any such insured institution or by any other interested party, and, if any such insured institution is operated under the laws of any State, Territory, or possession of the United States, or of the District of Columbia, such annual report shall also be filed with the public authority which has jurisdiction over the insured institution.

Termination of insurance.

TERMINATION OF INSURANCE

At option of insured institution.

Notice.

Rights to terminate.

SEC. 407. (a) Any institution which is insured under the provisions of this title may, upon not less than ninety days' written notice to the Corporation, terminate its status as an insured institution upon a majority vote of its shareholders entitled to vote, or upon a majority vote of its board of directors or other similar governing body which is authorized to act for the institution. Thereupon its status as an insured institution shall immediately cease and all rights of its insured members to insurance under this

title shall immediately terminate; but the obligation of the institution to pay the premium charges for insurance shall continue for continue.

a period of three years after the date of such termination.

(b) The Corporation shall have power to terminate the insured status of any insured institution at any time, after ninety days' notice in writing, for violation of any provision of this title, or of any rule or regulation made thereunder, or of any agreement made pursuant to section 403. In the event the insured status of any insured institution is so terminated it shall be unlawful thereafter lawful. for it to advertise or represent itself as an insured institution, but the insured accounts of its members existing on the date of such termination shall continue as such for a period of five years thereafter, and the institution shall be required to continue the payment of the premium charge for insurance during such five-year period.

Obligation

Termination by cor-

For violation thereof.

Misrepresentation of

Insured accounts.

Payment of premium

Miscellaneous.

TITLE V—MISCELLANEOUS

Section 501. Section 10(a) of the Federal Home Loan Bank Act amended to read as follows:

"Sec 10 (a) Each Federal Home Loan Bank is authorized to Advances to mem-

is amended to read as follows:
"Sec. 10. (a) Each Federal Home Loan Bank is authorized to make advances to its members, upon the security of home mortgages, subject to such regulations, restrictions, and limitations as the board may prescribe. Any such advance shall be subject to the following limitations as to amount:

"(1) If secured by a mortgage insured under the provisions of title II of the National Housing Act, the advance may be for an amount not in excess of 90 per centum of the unpaid principal of

the mortgage loan.

"(2) If secured by a home mortgage given in respect of an amortized home mortgage loan which was for an original term of eight years or more, or in cases where shares of stock, which are pledged as security for such loan, mature in a period of eight years or more, the advance may be for an amount not in excess of 65 per centum of the unpaid principal of the home mortgage loan; but in no case shall the amount of the advance exceed 60 per centum of the value of the real estate securing the home mortgage loan.

"(3) If secured by a home mortgage given in respect of any other home mortgage loan, the advance shall not be for an amount in excess of 50 per centum of the unpaid principal of the home mortgage loan; but in no case shall the amount of such advance exceed 40 per centum of the value of the real estate securing the home mortgage loan."

Sec. 502. The Federal Home Loan Bank Act is further amended

by adding after section 10 thereof the following new section:

"Sec. 10a. Until July 1, 1936, each Federal Home Loan Bank is Advances for home authorized to make advances to its members, in order to enable such and alterations. members to finance home repairs, improvements, and alterations. Such advances shall not be subject to the provisions and restrictions of section 10 of this Act, but shall be made upon the security of notes representing obligations incurred pursuant to, and insurable under, section 2 of the National Housing Act. Advances made under the terms of this section shall be at such rates of interest and upon such terms and conditions as shall be determined by the Federal Home Loan Bank Board."

Sec. 503. Section 11 of the Federal Home Loan Bank Act is C., Supp. VII, p. 227. amended to read as follows:

"Sec. 11. (a) Each Federal Home Loan Bank shall have power, subject to rules and regulations prescribed by the board to borrow banks.

Borrow money.

Limitations on amount.

Security.

Ante, p. 1246.

Interest rate: terms

Powers and duties of

Issue debentures.

and give security therefor and to pay interest thereon, to issue thereto.

Issue of consolidated Federal Home Loan Bank debentures

debentures, bonds, or other obligations upon such terms and conditions as the board may approve, and to do all things necessary for carrying out the provisions of this Act and all things incident

Limitation.

"(b) The board may issue consolidated Federal Home Loan Bank debentures which shall be the joint and several obligations of all Federal Home Loan Banks organized and existing under this Act, in order to provide funds for any such bank or banks, and such debentures shall be issued upon such terms and conditions as the board may prescribe. No such debentures shall be issued at any time if any of the assets of any Federal Home Loan Bank are pledged to secure any debts or subject to any lien, and neither the board nor any Federal Home Loan Bank shall have power to pledge any of the assets of any Federal Home Loan Bank, or voluntarily to permit any lien to attach to the same while any of such debentures so issued are outstanding. The debentures issued under this section and outstanding shall at no time exceed five times the total paid-in capital of all the Federal Home Loan Banks as of the time of the issue of such debentures. It shall be the duty of the board not to issue debentures under this section in excess of the notes or obligations of member institutions held and secured under section 10 (a) of this Act by all

Amount to members.

Aggregate amount.

the Federal Home Loan Banks.

Retirement of de-

"(c) At any time that no debentures are outstanding under this Act, or in order to refund all outstanding consolidated debentures issued under this section, the board may issue consolidated Federal Home Loan Bank bonds which shall be the joint and several obligations of all the Federal Home Loan Banks, and shall be secured and be issued upon such terms and conditions as the board may prescribe.

Deposit of additional collateral.

"(d) The board shall have full power to require any Federal Home Loan Bank to deposit additional collateral or to make substitutions of collateral or to adjust equities between the Federal Home Loan Banks.

Deposits, acceptance authorized.

"(e) Each Federal Home Loan Bank shall have power to accept deposits made by members of such bank or by any other Federal Home Loan Bank or other instrumentality of the United States, upon such terms and conditions as the board may prescribe, but no Federal Home Loan Bank shall transact any banking or other busi-

Limitation on trans-acting banking busi-

ness not authorized by this Act.

"(f) The board is authorized and empowered to permit, or whenever in the judgment of at least four members of the board an emergency exists requiring such action, to require, Federal Home Loan Banks, upon such terms and conditions as the board may prescribe, to rediscount the discounted notes of members held by other Federal Home Loan Banks, or to make loans to, or make deposits with, such other Federal Home Loan Banks, or to purchase any bonds or

Rediscounting notes of members.

debentures issued under this section.

Terms and conditions.

> "(g) Each Federal Home Loan Bank shall at all times have an amount equal to the sums paid in on outstanding capital subscriptions of its members, plus an amount equal to the current deposits received from its members, invested in (1) obligations of the United States, (2) deposits in banks or trust companies, (3) advances with a maturity of not to exceed one year which are made to members or nonmember borrowers, upon such terms and conditions as the board may prescribe, and (4) advances with a maturity of not to exceed one year which are made to members or nonmember borrowers whose creditor liabilities (not including advances from the Federal Home Loan Bank) do not exceed 5 per centum of their net assets, and

Purchase of bonds, debentures. Reserves to be maintained.

Amount.

which may be made without the security of home mortgages or other security, upon such terms and conditions as the board may prescribe.

"(h) Such part of the assets of each Federal Home Loan Bank Investment of sur-(except reserves and amounts provided for in subsection (g)) as are not required for advances to members or nonmember borrowers, may be invested, to such extent as the bank may deem desirable and subject to such regulations, restrictions, and limitations as may be prescribed by the board, in obligations of the United States and in such securities as fiduciary and trust funds may be invested in under the laws of the State in which the Federal Home Loan Bank is located."

SEC. 504. The Farm Credit Act of 1933 is amended by adding after amendments.

section 86 thereof the following new section:

"Sec. 86a. With the approval of the Governor of the Farm Credit Associations. Administration and under rules and regulations to be prescribed by the Production Credit Commissioner, production credit associations organized under the provisions of the Farm Credit Act of 1933 are authorized and empowered (without regard to the provisions of this Act relating to the requirement for the ownership of Class B stock or any other limitations therein contained) (1) to make loans to farmers for the purpose of enabling them to make home alterations, repairs, and improvements, (2) to sell, discount, loans assign, or otherwise dispose of any loans made by them under the provisions of this section, under such restrictions and limitations as to endorsement and liability as may be approved by the Governor of the Farm Credit Administration, (3) to avail themselves of the tional Housing Act. benefits of insurance under the provisions of section 2 of the Ante, p. 1246. benefits of insurance under the provisions of section 2 of the Ante, p. 1246.

National Housing Act, and (4) to do all such things as may be General powers reasonably necessary to carry out the provisions of this section."

Sec. 505. (a) Section 24 of the Federal Reserve Act, as amended, amendment. is amended by adding at the end of the third sentence thereof the U.S.C., p. 283.

That in the case of loans secured by real Provision.

National Housing Act, such restrictions as to the amount of the loan plicable.

National Housing Act, such restrictions as to the amount of the loan plicable. following: "Provided, That in the case of loans secured by real year limit on the terms of such loans shall not apply.

(b) Section 24 of such Act, as amended, is further amended by adding at the end thereof the following new paragraph:

"Loans made to finance the construction of residential or farm Loans to finance construction of residential buildings and having maturities of not to exceed six months, whether or farm buildings. or not secured by a mortgage or similar lien on the real estate upon which the residential or farm building is being constructed, shall not be considered as loans secured by real estate within the meaning of this section but shall be classed as ordinary commercial loans: *Provided*, That no national banking association shall invest in, or be liable on, any such loans in an aggregate amount in excess of 50 investments in loans, per centum of its actually paid-in and unimpaired capital. Notes representing such loans shall be eligible for discount as commercial for discount. Paper within the terms of the second paragraph of section 12 paper within the terms of the second paragraph of section 13 of the vol. 38, p. Fodoral Recovery Act, as amended if accompanied by a relief and u.S.C., p. 281. Federal Reserve Act, as amended, if accompanied by a valid and binding agreement to advance the full amount of the loan upon the completion of the building entered into by an individual, partnership, association, or corporation acceptable to the discounting bank."

Sec. 506. (a) The first sentence of section 4(c) of the Home Owners' Loan Act of 1933, as amended, is further amended to read

as follows:

"(c) The Corporation is authorized to issue bonds in an aggregate amount not to exceed \$3,000,000,000, which may be exchanged Aggregate amount. as hereinafter provided, or which may be sold by the Corporation to

Ante, p. 273.
Production Credit

Powers.

Loans to farmers.

Transactions in

General powers.

Federal Reserve Act.

Classification.

Home Owners' Loan Act of 1933. Ante, pp. 129, 643.

Bond issues by Cor-

obtain funds for carrying out the purposes of this section or for the redemption of any of its outstanding bonds called in for retirement; and the Corporation is further authorized to increase its total bond issue in an amount equal to the amount of the bonds so called in and retired."

(b) Section 4(m) of the Home Owners' Loan Act of 1933, as amended, is amended by striking out "\$200,000,000" and inserting in lieu thereof "\$300,000,000"

SEC. 507. Subdivision (6) of section 2 of the Federal Home Loan

Bank Act is amended so as to read as follows:

"(6) The term 'home mortgage' means a mortgage upon real estate, in fee simple, or on a leasehold (1) under a lease for not less than ninety-nine years which is renewable or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed, upon which there is located a dwelling for not more than three families, and shall include, in addition to first mortgages, such classes of first liens as are commonly given to secure advances on real estate by institutions authorized under this Act to become members, under the laws of the State in which the real estate is located, together with the credit instruments, if any, secured thereby.

SEC. 508. (a) Section 2(c) of the Home Owners' Loan Act of 1933, as amended, is amended by striking out "under a renewable lease for not less than ninety-nine years" and inserting in lieu thereof "(1) under a lease for not less than ninety-nine years which is renewable, or (2) under a lease having a period of not less than fifty years

to run from the date the mortgage was executed".

(b) Section 4(c) of such Act, as amended, is amended by striking out "under a lease renewable for not less than ninety-nine years" and inserting in lieu thereof "(1) under a lease for not less than ninety-nine years which is renewable, or (2) under a lease having a period of not less than fifty years to run from the date the mortgage was executed ".

Sec. 509. Section 6 of the Federal Home Loan Bank Act is amended by striking out "\$1,500" in subsections (c) and (e) and inserting in lieu thereof "\$500".

SEC. 510. The Act entitled "An Act relating to contracts and agreements under the Agricultural Adjustment Act", approved January 25, 1934, is amended by inserting before the period at the end thereof a comma and the following: "the Federal Farm Loan Act, as amended, the Emergency Farm Mortgage Act of 1933, as amended, the Federal Farm Mortgage Corporation Act, as amended, the Farm Credit Act of 1933, as amended, and the Home Owners' Loan Act of 1933, as amended".

SEC. 511. Section 22 of the Interstate Commerce Act, as amended, 387; is further amended by adding at the end thereof the following new sentence: "Nothing in this Act shall prevent any carrier or carriers subject to this Act from giving reduced rates for the transportation of commodities to be specified by the Commission as hereinafter provided, to or from any section of the country, with the object of improving Nation-wide housing standards and providing employment and stimulating industry, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in such order the Commission shall specify the commodities as to which this provision shall be declared effective and shall specify the period during which such reduced rates are to remain in effect.

Federal Home Loan Bank Act, amendment. Vol. 47, p. 725.

"Home Mortgage", defined.

Home Owners' Loan Act, amendments. Ante, p. 129. "Home mo mortgage", defined.

Ante, pp. 129, 643.

Federal Home Loan Banks. Vol. 47, p. 727 Minimum subscription.

Contracts under Agricultural Adjustment Act.
Ante, p 337.
Participation in, by members of Congress.

Interstate Commerce Act, amendment Vol. 24, p. 387; U.S.C., p. 1671. Reduced rates for transportation of com-modities.

PENALTIES

Penalties.

Misrepresentations.

Sec. 512. (a) Whoever, for the purpose of obtaining any loan from the Federal Housing Administration or the Federal Savings and Loan Insurance Corporation, or any extension or renewal thereof, or the acceptance, release, or substitution of security therefor, or for the purpose of inducing the Administration or the Corporation to purchase any assets, or for the purpose of influencing in any way the action of the Administration or the Corporation under this Act, makes any statement, knowing it to be false, or willfully overvalues any security, shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both.

(b) Whoever (1) falsely makes, forges, or counterfeits any obligation of counterfeiting securities. tion or coupon, in imitation of or purporting to be an obligation or coupon issued under authority of this Act, or (2) passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited obligation or coupon purporting to have been so issued, knowing the same to be false, forged, or counterfeited, or (3) falsely alters any obligation or coupon so issued or purporting to have been so issued, or (4) passes, utters, or publishes, or attempts to pass, utter, or publish, as true, any falsely altered or spurious obligation or coupon, so issued or purporting to have been so issued, knowing the same to be falsely altered or spurious, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more

than five years, or both.

(c) Whoever, being connected in any capacity with the Federal Housing Administration or the Federal Savings and Loan Insurance Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to the Administration or the Corporation or pledged, or otherwise intrusted to the Administration or the Corporation, or (2) with intent to defraud the Administration or the Corporation or any other body, politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Administration or the Corporation, makes any false entry in any book, report, or statement of or to the Administration or the Corporation, or without being duly authorized draws any order, or issues, puts forth, or assigns any note, debenture, bond, or other such obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than five years, or both.

Embezzlement.

SEPARABILITY PROVISION

Separability provision.

Sec. 513. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, June 27, 1934.

[CHAPTER 848.]

AN ACT

Amending the Independent Offices Appropriation Act of 1935.

June 27, 1934, [H.R. 9867.] [Public, No. 480.]

Be it enacted by the Senate and House of Representatives of the istration of the provision of subparagraph (1) of section 24 of the propriation Act of Independent Offices Appropriation Act. 1935 amonding a subparagraph (2) of the loss of Independent Offices Appropriation Act. 1935 amonding a subparagraph (2) of the loss Independent Offices Appropriation Act, 1935, amending section 201 of part II of the Legislative Appropriation Act for the fiscal year

Postal employees, etc.; automatic promo-Credit of service.

Vol. 47, p. 403.

1059; Vol. 43, p. U.S.C., p. 1242.

Credit for time served as substitutes

1933, all service rendered by postal and other officers and employees prior to July 1, 1932, and subsequent to June 30, 1932, shall be credited to the officers or employees and such officers or employees promoted to the grade to which they would have progressed had section 201 (suspending automatic increases in compensation) of part II of the Legislative Appropriation Act, fiscal year 1933, not been enacted.

Sec. 2. Amend the second proviso of section 4 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (U.S.C., Supp. VII, title 39, sec. 104), by striking out the Fractional parts of colon at the end of the proviso and inserting a period in lieu thereof and the following: "Any fractional part of a year's substitute service will be included with his service as a regular clerk or carrier in the City Delivery Service in determining eligibility for promotion to the next higher grade following appointment to a regular position:" Approved, June 27, 1934.

[CHAPTER 849.]

AN ACT

June 27, 1934. [S. 1510.] [Public, No. 481.]

To amend the Act entitled "An Act to adjust water-right charges, to grant other May 25, 1926, with respect to certain lands in the Langell Valley irrigation

Irrigation projects. Vol. 44, p. 640, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to adjust water-right charges, to grant other relief on the Federal irrigation projects, and for other purposes", approved May 25, 1926, is amended by adding after section 16 thereof the following new sections:

Langell Valley district.

Reclassification rates.

Proniso Reduction of water

Contract, agreeing to resume payments, if land found productive, to be executed.

"Sec. 16-A. All payments upon construction charges shall be Suspension of con suspended against such lands in the Langell Valley irrigation district struction charges on as the Secretary of the Interior shall cause to be classified as to pro-unproductive, etc., as the Secretary of the Interior shall cause to be classified as to pro-lands within. ductivity and as the said Secretary may determine to be temporarily unproductive because nonagricultural and unsuitable for irrigation, of and the said Secretary is hereby authorized to reduce the construction obligations of the Langell Valley irrigation district exclusive of costs incurred in the construction of Clear Lake Channel in the ratio and proportion as the number of acres so found and determined to be temporarily unproductive bears to the total number of acres now included as a part of said irrigation district: Provided, That the amount of irrigation water to which the Langell Valley irrigation district is entitled shall be reduced in proportion to the area temporarily suspended from construction charges.

"Sec. 16-B. The Secretary of the Interior, as a condition prece-

dent to the allowance of the benefits offered under section 16-A, shall require the Langell Valley irrigation district to execute a contract providing for the resumption of construction charges by said district upon all, or any, of such acreages so found and determined to be temporarily unproductive, as the Secretary of the Interior may, subsequent to such suspension, find and declare to be possessed of sufficient productive power to be again placed in the paying class."

Approved, June 27, 1934.

[CHAPTER 850.]

JOINT RESOLUTION

Authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign Governments.

[Pub. Res. No. 52.]

Resolved by the Senate and House of United States of America in Congress assembled, That the tollowing named retired officers or employees of the United States are hereby ments.

Designated officers and employees may accept such decorations, orders, medals, or presents as and employees may accept. State Department.

State Department: Robert Woods Bliss, Fred D. Fisher, George Horton, William H. Hunt, Frank W. Mahin, Thomas Sammons, Harry Tuck Sherman, Alexander Thackara, and Craig W.

Wadsworth.

United States Army: Charles J. Allen, Bailey K. Ashford, George G. Bartlett, Herbert C. Crosby, William Crozier, Albert C. Dalton, Hanson E. Ely, James E. Fechet, Harry E. Gilchrist, Francis W. Griffin, William W. Harts, John L. Hines, William E. Horton, John A. Hull, Girard L. McEntee, Charles P. Summerall, John J. Pershing, Trevor W. Swett, and Thomas F. Van Natta, Junior.

United States Navy: William C. Braisted, William B. Caperton, Robert F. Goorte, Herbert Q. Dune, John Phylon Edic Noble F.

Navv.

Robert E. Coontz, Herbert O. Dunn, John Rufus Edie, Noble E. Irwin, Harry H. Lane, Norman T. McLean, William V. Pratt, Henry J. Shields, George W. Steele, Montgomery M. Taylor, and Arthur L.

Marine Corps. Member of Congress.

United States Marine Corps: Ben H. Fuller and George C. Thorpe. Sol Bloom, Member of Congress, Director of United States George Washington Bicentennial Commission.

Department of Agriculture.

Department of Agriculture: L. O. Howard.

Department of Commerce: Antone Silva.

Sec. 2. That the Secretary of State is hereby directed to furnish to the Seventy-fifth Congress and to each alternate Congress thereafter whom State Department is holding decorated to those retired officers or employees of the United States for whom the Department of State under the provisions of the Act of Congresses.

January 31, 1881 (USC) title 5, 202, 118) in Laboratory Congresses. January 31, 1881 (U.S.C., title 5, sec. 115), is holding decorations, orders, medals, or presents tendered them by foreign governments.

Approved, June 27, 1934.

[CHAPTER 851.]

JOINT RESOLUTION

To amend the Settlement of War Claims Act of 1928, as amended.

June 27, 1934. [H.J.Res. 365.] [Pub. Res., No. 53.]

Vol. 42, p. 106.

Whereas the joint resolution of the Congress of the United States, approved July 2, 1921, provides in part as follows:

Settlement of War claims Act of 1928, amendments. approved July 2, 1921, provides in part as follows:
"Sec. 5. All property of the Imperial German Government,

or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever,

* * shall be retained by the United States of America and
no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time the Imperial German Government shall have * * * made suitable provision for the satisfaction of all claims against said [Government] * * *, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial Cormon Government, or its agents * * * since July 31. since July 31, rial German Government, or its agents 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German * * * American or other carreties in German, * * *, American, or other corporations, or in consequence of hostilities or of any operations of war, or other-* *, American, or other corporations, or in con-* 59

Whereas the treaty between the United States and Germany of August 25, 1921, incorporated said provision of such joint resolution and also provided in article I thereof as follows:

"Germany undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations, or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Versailles which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States."; and

Whereas by the agreement of August 10, 1922, between Germany and the United States, a Mixed Claims Commission was established to adjudicate claims of American nationals against Germany aris-

ing out of the World War; and Whereas under the terms of the debt-funding agreement between Germany and the United States dated June 23, 1930, Germany agreed to pay to the United States in satisfaction of Germany's obligations remaining on account of awards, including interest thereon, entered and to be entered by the Mixed Claims Commission, United States and Germany, the sum of 40,800,000 reichmarks for the period September 1, 1929, to March 31, 1930, and the sum of 40,800,000 reichmarks per annum from April 1, 1930, to March 31, 1981; and

Whereas Germany is now in arrears in payments due under said debt-funding agreement between Germany and the United States, and has, accordingly, failed to make suitable provision for the satisfaction of the said claims against Germany: Now, therefore

be it

Resolved by the Senate and House of Representatives of the Further payments to German Nationals, from special deposts account postponed, pending arrears of payments of permany.

**Count postponed, pending arrears of payments of permany is in arrears in any payments of principal or interest, including interest at the rate of 5 per centum per annum on principal installments not paid when due, under the debt-funding agreecipal installments not paid when due, under the debt-funding agreement between Germany and the United States, dated June 23, 1930, with respect to Germany's obligations remaining on account of awards, including interest thereon, entered and to be entered by the Mixed Claims Commission, United States and Germany, all payments, conveyances, transfers, or deliveries of money or property or the income, issues, profits, and/or avails thereof authorized or directed to be made under the Trading with the Enemy Act, as amended, or the Settlement of War Claims Act of 1928, as amended, whether or not a judgment or decree has been entered with respect thereto, shall be postponed and the money or property, or the Provisos. income, issues, profits, and/or avails thereof reserved: Provided, funds in paying certain however, That such of the funds as are from time available (without taking into consideration interest thereafter accruing) (without taking into consideration interest thereafter accruing) under the Settlement of War Claims Act of 1928, as amended, for the payment of principal and interest upon awards of said Mixed Claims Commission shall be applied when available to the payment of principal and interest upon such awards in the same manner and to the same extent as though certain of the payments provided for

Vol. 42, p. 1942.

Vol. 42, p. 2200.

in said Act had not been postponed under this resolution: Provided president may refurther, That the President may, in his sole discretion, remove the payments, etc., in any restriction as to carry of the cases or classes of asses in relation to class, etc. restriction as to any of the cases or classes of cases in relation to which payments, conveyances, transfers, or deliveries have been postponed under this resolution: And provided further, That the President is authorized to determine, for the purposes of this resolution and the determined for purposes of the purposes of t lution, the period or periods in which Germany is in arrears in the payments hereinbefore described, and his determination thereof shall not be subject to judicial review.

Section 36 of the Emergency Farm Mortgage Act of 1933, as

amended, is amended-

"to reduce and refinance its outstanding indebtedness incurred in nance Corporation. I. By striking the comma and the word "and" after the words connection with any such project "in the second sentence thereof and loans to irrigation disinserting in place thereof the following: "; or, whether or not it trict. has any such indebtedness, to purchase or otherwise acquire in connection with such project storage reservoirs or dams or sites therefor, or additional water rights, or canals, ditches, or rights-of-way for the conduct of water, or other works or appurtenances necessary for the delivery of water, provided such purchase or acquisition is not intended to bring additional lands into production.

II. By adding at the beginning of (5) thereof the following: "in

the case of a loan to reduce or refinance its outstanding indebtedness,".

III. By adding at the beginning of (C) thereof the following:
"in the case of a loan to reduce or refinance the outstanding indebtedness of an applicant,".

Approved, June 27, 1934.

[CHAPTER 865.]

AN ACT

To stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

June 28, 1934 [H.R. 6462.] [Public, No. 482.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote the highest use of the public lands pending its final disposal, the Secretary of the Interior is authorized, in his discretion, by order to establish grazing districts or additions thereto and/or to modify the boundaries thereof, not exceeding in the aggregate an area of Modifying boundaries, etc., thereof. eighty million acres of vacant, unappropriated, and unreserved lands from any part of the public domain of the United States (exclusive of Alaska), which are not in national forests, national parks and monuments, Indian reservations, revested Oregon and California Railroad grant lands, or revested Coos Bay Wagon Road grant lands, and which in his opinion are chiefly valuable for grazing and raising forage crops: Provided, That no lands withdrawn or reserved for any other purpose shall be included in any such district except with the approval of the head of the department having jurisdiction thereof. Nothing in this Act shall be construed in any way to diminish, restrict, or impair any right which has been heretofore or may be hereafter initiated under existing law validly affecting the public lands, and which is maintained pursuant to such law except as otherwise expressly provided in this Act, nor to affect any land heretofore or hereafter surveyed which, except for the provisions of this Act, would be a part of any grant to any State, nor as limiting or restricting the power or authority

Ante, pp. 49, 1110.

Ante, p. 50.

Overgrazing and soil deterioration, public lands.

Grazing districts, or additions thereto, to be established. Areas excluded.

Proviso. Restriction on use.

Valid claims not impaired.

Hearing to be held before districts created.

Proviso.
Notice thereof to affect withdrawing of all lands within exterior boundary of grazing

Provision for carry-ing Act into effect.

Permits.

authorized.

Fees.

permits.

Rights-of-way for stockdriveway granted when grazing district is established pursuant to this Act, the Secre-established. tary shall grant to owners of land adjacent to such district, upon application of any such owner, such rights-of-way over the lands included in such district for stock-driving purposes as may be necessary for the convenient access by any such owner to marketing facilities or to lands not within such district owned by such person or upon which such person has stock-grazing rights. Neither this Act nor the Act of December 29, 1916 (39 Stat. 862; U.S.C., title 43, secs. 291 and following), commonly known as the "Stock Raising III. Homestead Act", shall be construed as limiting the authority or policy of Congress or the President to include in national forests public lands of the character described in section 24 of the Act of March 3, 1891 (26 Stat. 1103; U.S.C., title 16, sec. 471), as amended, for the purposes set forth in the Act of June 4, 1897 (30 Stat. 35; U.S.C., title 16, sec. 475), or such other purposes as Congress may specify. Before grazing districts are created in any State as herein provided, a hearing shall be held in the State, after public notice thereof shall have been given, at such location convenient for the attendance of State officials, and the settlers, residents, and livestock owners of the vicinity, as may be determined by the Secretary of the Interior. No such district shall be established until the expiration of ninety days after such notice shall have been given, nor until twenty days after such hearing shall be held: Provided, however, That the publication of such notice shall have the effect of withdrawing all public lands within the exterior boundary of such proposed grazing districts from all forms of entry of settlement. Nothing in this Act shall be construed as in any way altering or restrict-Hunting, etc., not ing the right to hunt or fish within a grazing district in accordance with the laws of the United States or of any State, or as vesting in any permittee any right whatsoever to interfere with hunting or fishing within a grazing district.

Sec. 2. The Secretary of the Interior shall make provision for the protection, administration, regulation, and improvement of such grazing districts as may be created under the authority of the fore-going section, and he shall make such rules and regulations and establish such service, enter into such cooperative agreements, and do any and all things necessary to accomplish the purposes of this Act and to insure the objects of such grazing districts, namely, to regulate their occupancy and use, to preserve the land and its resources from destruction or unnecessary injury, to provide for the orderly use, improvement, and development of the range; and the Secretary of the Interior is authorized to continue the study of erosion and flood control and to perform such work as may be necessary amply to protect and rehabilitate the areas subject to the provisions of this Act, through such funds as may be made available for that purpose, and any willful violation of the provisions of this Act or of such rules and regulations thereunder after actual notice thereof

shall be punishable by a fine of not more than \$500.

SEC. 3. That the Secretary of the Interior is hereby authorized to Livestock grazing, issue or cause to be issued permits to graze livestock on such grazing districts to such bona fide settlers, residents, and other stock owners as under his rules and regulations are entitled to participate in the use of the range, upon the payment annually of reasonable fees in each case to be fixed or determined from time to time: Provided, Provisos.
Restriction on issuing Provisos.
That grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intention to become such, as required by the naturalization laws and to groups, associations, or corporations authorized to conduct business

under the laws of the State in which the grazing district is located. Preference shall be given in the issuance of grazing permits to those within or near a district who are landowners engaged in the livestock business, bona fide occupants or settlers, or owners of water or water rights, as may be necessary to permit the proper use of lands, water or water rights owned, occupied, or leased by them, except that until July 1, 1935, no preference shall be given in the issuance of such permits to any such owner, occupant, or settler, whose rights were acquired between January 1, 1934, and December 31, 1934, both dates inclusive, except that no permittee complying with the rules and regulations laid down by the Secretary of the Interior shall be denied the renewal of such permit, if such denial will impair the value of the grazing unit of the permittee, when such unit is pledged as security for any bona fide loan. Such permits shall be for a period of not more than ten years, subject to the performance right of the permittees to renewal in the discretion. preference right of the permittees to renewal in the discretion of the Secretary of the Interior, who shall specify from time to time numbers of stock and seasons of use. During periods Emergency remison frange depletion due to severe drought or other natural causes, or grazing fees. in case of a general epidemic of disease, during the life of the permit, the Secretary of the Interior is hereby authorized, in his discretion to remit, reduce, refund in whole or in part, or authorize postponement of payment of grazing fees for such depletion period so long as the emergency exists: Provided further, That nothing in this Act shall be construed or administered in any way to diminish or paired.

Mater rights not impair any right to the possession and use of water for mining, agriculture, manufacturing or other purposes. agriculture, manufacturing, or other purposes which has heretofore vested or accrued under existing law validly affecting the public lands or which may be hereafter initiated or acquired and maintained in accordance with such law. So far as consistent with be protected. the purposes and provisions of this Act, grazing privileges recognized and acknowledged shall be adequately safeguarded, but the creation of a grazing district or the issuance of a permit pursuant to the provisions of this Act shall not create any right, title, interest, or estate in or to the lands.

SEC. 4. Fences, wells, reservoirs, and other improvements necessary to the care and management of the permitted livestock may be conpermitted. structed on the public lands within such grazing districts under permit issued by the authority of the Secretary, or under such cooperative arrangement as the Secretary may approve. Permittees shall Compliance with State laws, as to partition sons of law of the State within which the grazing district is located with respect to the cost and maintenance of partition fences. No permit shall be issued which shall entitle the permittee to the use Use of prior construcof such improvements constructed and owned by a prior occupant until the applicant has paid to such prior occupant the reasonable value of such improvements to be determined under rules and regulations of the Secretary of the Interior. The decision of the Secretary in such cases is to be final and conclusive.

Sec. 5. That the Secretary of the Interior shall permit, under regulations to be prescribed by him, the free grazing within such kept for domestic purdistricts of livestock kept for domestic purposes; and provided that poses. so far as authorized by existing law or laws hereinafter enacted, nothing herein contained shall prevent the use of timber, stone, posits by settlers, mingravel, clay, coal, and other deposits by miners, prospectors for miners, etc. eral, bona fide settlers and residents, for firewood, fencing, buildings, mining, prospecting, and domestic purposes within areas subject to the provisions of this Act.

Preferences.

Rights acquired during 1934.

Renewals.

Rights-of-way within grazing districts not restricted.

Lands more suitable for agriculture within districts to be classified.

Proviso. Areas open in tracts exceeding 320 acres.

Exchange with private ownership in public interest, allowed.

Provisos. Notice of contemplated exchange to be

Lands conveyed to United States to be-come public lands.

Easements may be reserved by either party.

Conditions imposed.

Miner may occupy surface required.

SEC. 6. Nothing herein contained shall restrict the acquisition, granting or use of permits or rights-of-way within grazing districts under existing law; or ingress or egress over the public lands in such districts for all proper and lawful purposes; and nothing herein contained shall restrict prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources of such districts under law applicable thereto.

SEC. 7. That the Secretary is hereby authorized, in his discretion, to examine and classify any lands within such grazing districts which are more valuable and suitable for the production of agricultural crops than native grasses and forage plants, and to open such lands to homestead entry in tracts not exceeding three hundred and Prior settlement for twenty acres in area. Such lands shall not be subject to settlement or occupation as homesteads until after same have been classified and opened to entry after notice to the permittee by the Secretary of the Interior, and the lands shall remain a part of the grazing district until patents are issued therefor, the homesteader to be, after his entry is allowed, entitled to the possession and use thereof: Provided, That upon the application of any person qualified to make homestead entry under the public-land laws, filed in the land office of the proper district, the Secretary of the Interior shall cause any tract not exceeding three hundred and twenty acres in any grazing district to be classified, and such application shall entitle the applicant to a preference right to enter such lands when opened to entry

as herein provided.

Sec. 8. That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized and directed to accept on behalf of the United States any lands within the exterior boundaries of a district as a gift, or, when public interests will be benefited thereby, he is authorized and directed to accept on behalf of the United States title to any privately owned lands within the exterior boundaries of said grazing district, and in exchange therefor to issue patent for not to exceed an equal value of surveyed grazing district land or of unreserved surveyed public land in the same State or within a distance of not more than fifty miles within the adjoining State nearest the base lands: Provided, That before any such exchange shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands and parts of the grazing district within whose exterior boundaries they are located: Provided further, That either party to an exchange may make reservations of minerals, easements, or rights of use, the values of which shall be duly considered in determining the values of the exchanged lands. Where reservations are made in lands conveyed to the United States, the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary of the Interior. Where mineral reservations are made in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much of the surface as may be required for all purposes incident to the mining and removal of the minerals therefrom, and may mine and remove such minerals, upon

payment to the owner of the surface for damages caused to the land and improvements thereon. Upon application of any State to Application by a exchange lands within or without the boundary of a grazing district within or without a the Secretary of the Interior is authorized and directed, in the manner provided for the exchange of privately owned lands in this section, to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State.

SEC. 9. The Secretary of the Interior shall provide, by suitable Rules for cooperating with local stockmen dles and regulations, for cooperation with local associations of associations to be prorules and regulations, for cooperation with local associations of stockmen, State land officials, and official State agencies engaged in conservation or propagation of wild life interested in the use of the grazing districts. The Secretary of the Interior shall provide by appropriate rules and regulations for local hearings on appeals from the decisions of the administrative officer in charge in a manner similar to the procedure in the land department. The Secretary of the Interior shall also be empowered to accept contributions toward improvements. the administration, protection, and improvement of the district, moneys so received to be covered into the Treasury as a special fund, which is hereby appropriated and made available until expended, as the Secretary of the Interior may direct, for payment of expenses incident to said administration, protection, and improvement, and for refunds to depositors of amounts contributed by them in excess of their share of the cost.

Sec. 10. That, except as provided in sections 9 and 11 hereof, all ceipts; exceptions. moneys received under the authority of this Act shall be deposited in the Treasury of the United States as miscellaneous receipts, but 25 per centum of all moneys received from each grazing district during any fiscal year is hereby made available, when appropriated by the Congress, for expenditure by the Secretary of the Interior for the construction, purchase, or maintenance of range improvements, and 50 per centum of the money received from each grazing district during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said grazing district is situated, to be expended as the State legislature may prescribe for the benefit of the county or counties in which the grazing district is situated: Provided, That if any grazing district is in more than Provise. If district in more one State or county, the distributive share to each from the proceeds than one county. of said district shall be proportional to its area therein.

Sec. 11. That when appropriated by Congress, 25 per centum of all to United States. moneys received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during use of graze any fiscal year is hereby made available for expenditure by the Secretary of the Interior for the construction, purchase, or maintenance of range improvements; and an additional 25 per centum of Ran ments. the money received from grazing during each fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State Benefit of public which said lands are situated, to be expended as the State schools and public schools and schools and public schools are schools and public schools and public schools are schools and public schools are schools and public schools and pu legislature may prescribe for the benefit of public schools and public roads. roads of the county or counties in which such grazing lands are And the remaining 50 per centum of all money received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements. The applicable public land laws as to said Indian ceded lic land laws. lands within a district created under this Act shall continue in operation, except that each and every application for nonmineral title to said lands in a district created under this Act shall be allowed only if in the opinion of the Secretary of the Interior the land is of

Lands in another State excluded.

Local hearings or views provided for.

Acceptance of con-tributions for district

Appropriation.

Portion for range im-

Apportionment to State for benefit of counties having grazing districts.

Range improve-

Continuance of pub-

the character suited to disposal through the Act under which application is made and such entry and disposal will not affect adversely the best public interest, but no settlement or occupation of such lands shall be permitted until ninety days after allowance of an application

Cooperative administration with other departments.

Unappropriated lands

Proviso rights main-

Vol. 47, p. 1517.

R. S. sec 2455, p. 449; U.S.C., p. 1411. Vol. 45, p. 253. Sale of isolated or dis-

Vol. 26, p. 391.

Provisos. Preferential right to owner of property. of contiguous

Sec. 12. That the Secretary of the Interior is hereby authorized to cooperate with any department of the Government in carrying out Coordination of range administration, particularly where the same stock grazes part time in a graz-

ing district and part time in a national forest or other reservation. Sec. 13. That the President of the United States is authorized to sheds of national for reserve by proclamation and place under national-forest administrasheds of national forests may be created or enlarged ests.

President may place, tion in any State where national forests may be created or enlarged under national forest by Executive order any unappropriated public lands lying within administration.

Watersheds forming a part of the national forests which, in his opinion, can best be administered in connection with existing national-forest administration units, and to place under the Interior Department administration any lands within national forests, principally valuable for grazing, which, in his opinion, can best be administered under the provisions of this Act: Provided, That such reservations or transfers shall not interfere with legal rights acquired under any public-land laws so long as such rights are legally main-Jurisdiction of lands. tained. Lands placed under the national-forest administration under the authority of this Act shall be subject to all the laws and regulations relating to national forests, and lands placed under the Interior Department administration shall be subject to all publicland laws and regulations applicable to grazing districts created under authority of this Act. Nothing in this section shall be construed so as to limit the powers of the President (relating to reorganizations in the executive departments) granted by title 4 of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933.

Sec. 14. That section 2455 of the Revised Statutes, as amended, is

amended to read as follows:

"Sec. 2455. Notwithstanding the provisions of section 2357 of the Revised Statutes (U.S.C., title 43, sec. 678) and of the Act of August U.S.C., p. 1375.

Revised Statutes (U.S.C., title 43, sec. 678) and of the Act of August to Secretary of the Secretary of Interior to order into market and sell at public auction, at the land office of the district in which the land is situated, for not less than the appraised value, any isolated or disconnected tract or parcel of the public domain not exceeding seven hundred and sixty acres which, in his judgment, it would be proper to expose for sale after at least thirty days' notice by the land office of the district in which such land may be situated: *Provided*, That for a period of not less than thirty days after the highest bid has been received, any owner or owners of contiguous land shall have a preference right to buy the offered lands at such highest bid price, and where two or more persons apply to exercise such preference right the Secretary of the Interior is authorized to make an equitable division of the land among such applicants, but in no case shall the adjacent land owner or owners be required to pay more than three times the appraised price: Sale of tracts unsuit Provided further, That any legal subdivisions of the public land, not able for cultivation. exceeding one hundred and sixty acres, the greater part of which is mountainous or too rough for cultivation, may, in the discretion of the said Secretary, be ordered into the market and sold pursuant to this section upon the application of any person who owns land or holds a valid entry of lands adjoining such tract, regardless of the fact that such tract may not be isolated or disconnected within the

meaning of this section: Provided further, That this section shall paired. Prior rights not impaired. not defeat any valid right which has already attached under any pending entry or location. The word 'person' in this section shall be deemed to include corporations, partnerships, and associations."

SEC. 15. The Secretary of the Interior is further authorized in his discretion, where vacant, unappropriated, and unreserved lands of the public domain are situated in such isolated or disconnected tracts. the public domain are situated in such isolated or disconnected tracts of six hundred and forty acres or more as not to justify their inclusion in any grazing district to be established pursuant to this Act, to lease any such lands to owners of lands contiguous thereto for grazing purposes, upon application therefor by any such owner, and upon such terms and conditions as the Secretary may prescribe.

SEC. 16. Nothing in this Act shall be construed as restricting the State laws, etc., not respective States from enforcing any and all statutes enacted for police regulation, nor shall the police power of the respective States be, by this Act, impaired or restricted, and all laws heretofore enacted by the respective States or any thereof, or that may hereafter be enacted as regards public health or public welfare, shall at all times be in full force and effect: Provided, however, That nothing Provise.

In this section shall be construed as limiting or restricting the power Federal authority. and authority of the United States.

Approved, June 28, 1934.

"Person" defined.

[CHAPTER 866.]

AN ACT

To place the tobacco-growing industry on a sound financial and economic basis, to prevent unfair competition and practices in the production and marketing tobacco entering into the channels of interstate and foreign commerce, and for other purposes.

June 28, 1934. [H.R. 9690.] [Public, No. 483]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Tobacco Control Act.

DEFINITIONS

Section 1. As used in this Act—

(a) The term "person" includes an individual, a partnership, association, joint-stock company, corporation, or a firm, and imports the plural as well as the singular, as the case demands.

(b) The term "Commissioner" means the Commissioner of

Internal Revenue.

(c) The term "collector" means the collector of internal revenue.(d) The term "tobacco" means any type or types of tobacco

specified in any agreement between the Secretary of Agriculture and a contracting producer.

(e) The term "sale" means the first bona fide sale of each pound

of tobacco harvested subsequent to the enactment of this Act.

(f) The term "tax" means the tax imposed by this Act upon the sale of tobacco.

(g) The term "contracting producer" means any person who ducer." (pursuant to the provisions of the Agricultural Adjustment Act) agrees in writing with the Secretary of Agriculture to plant not more than the number of acres of tobacco, and/or to market not

more than the number of pounds of tobacco, permitted in such

(h) The term "crop year" means the period May 1 to April 30.(i) The term "Maryland tobacco" means the kind of air-cured tobacco classified as type 32 in the United States Department of Agriculture, Bureau of Agricultural Economics, Service and Regulatory Announcements Numbered 118.

Definitions.

"Person."

"Commissioner."

"Collector." "Tobacco."

"Sale."

"Tax."

pro-

"Crop year." "Maryland tobacco." "Cigar leaf tobacco."

(j) The term "cigar leaf tobacco" means all leaf tobacco classified in classes 4, 5, and 6 in the United States Department of Agriculture, Bureau of Agricultural Economics, Service and Regulatory Announcements Numbered 118.

"Virginia sun-cured tobacco."

(k) The term "Virginia sun-cured tobacco" means all sun-cured tobacco classified as type 37 in the United States Department of Agriculture, Bureau of Agricultural Economics, Service and Regulatory Announcements Numbered 118.

Declared policy.

DECLARED POLICY

Orderly marketing.

Sec. 2. It is hereby declared to be the policy of Congress to promote the orderly marketing of tobacco in interstate and foreign Stabilizing markets. commerce, to enable producers of tobacco to stabilize their markets against undue and excessive fluctuations, to prevent unfair competition and practices in putting tobacco into the channels of interstate and foreign commerce, and to more effectively balance production and consumption of tobacco, and to relieve the present emergency with respect to tobacco.

Imposition. Sales tax.

IMPOSITION

Proviso, Lower rate permit-

Sec. 3. (a) There is hereby levied and assessed on the sale of tobacco with respect to which the tax is applicable a tax at the rate of 331/3 per centum of the price for which such tobacco is sold: Provided, however, That if the Secretary of Agriculture determines and proclaims that the declared policy of this Act is best effectuated thereby, the rate of tax shall, for such period as the Secretary of Agriculture designates, be at such lower rate (not less than 25 per centum of the price for which such tobacco is sold) as he may prescribe.

Secretary's proclama-tion to issue before crop

Territory embraced.

Tax to apply to to bacco harvested in crop year 1934-35; exception.

Inoperative thereafter unless it be determined special type requires imposition.

Tax to apply to to bacco harvested in the crop year 1934-1935, except Maryland tobacco harvested in the crop year 1934-1935, except Maryland tobacco, Virginia sun-cured tobacco, and cigar leaf tobacco. Thereafter whenever the Secretary of Agriculture determines that the persons who own, rent, share crop, or control three fourths of the land customarily engaged in the production of any particular type of tobacco favor the levy of the tax thereon and that the imposition of the tax thereon is necessary for the orderly marketing of such tobacco in interstate and foreign commerce and to effectuate the declared policy of this Act, he shall proclaim such determination at least sixty days prior to the next succeeding crop year, and the tax shall thereafter apply to tobacco of such type harvested during the crop year next following the date Duration of provi of such proclamation. The tax provided for by subsection (a) of this section shall not apply to any tobacco harvested after April 30, 1936.

(c) The provisions of this Act shall be applicable to the United States and its possessions, except the Philippine Islands, the Virgin Islands, American Samoa, the Canal Zone, and the island of Guam.

Exemptions.

EXEMPTIONS

rublic experiment station, etc.

Crop prior to 1934-35. Identification.

SEC. 4. (a) No tax shall be imposed under this Act-

(1) Upon the tobacco harvested by any publicly owned experimental station or agricultural laboratory; or
(2) Upon tobacco harvested prior to the crop year 1934-1935.

(b) Under such rules and regulations as the Commissioner, with the approval of the Secretary of the Treasury, may prescribe, every person who, at the time the tax becomes applicable with respect to

any type of tobacco, holds for sale (or use in the manufacture or production of an article intended for sale) any tobacco of such type harvested prior to the crop year 1934-1935 shall cause such tobacco to be tagged, stamped, or otherwise identified as tax-exempt tobacco.

SEC. 5. (a) In addition to rental or benefit payments which under any provision of existing law the Secretary of Agriculture is authorized to make in connection with agreements with producers providing for reduction in the acreage or reduction in the production in the acreage or reduction in the production in the acreage of reduction in the production in the acreage of reduction in the production in the acreage of reduction in the production in the production in the acreage of reduction in the production in the for reduction in the acreage or reduction in the production for market, or both, of any basic agricultural commodity, the Secretary of Agriculture is hereby authorized and directed to issue (in each crop year wherein any type of tobacco is harvested to which the tax is applicable) to each contracting producer nontransferable tax-payment warrants (each such warrant to be expressed in pounds of tobacco of a particular type). Upon surrender of any warrant by Surrender of to be any contracting producer to the collector, it shall be accepted by the of sales tax. collector and the Secretary of the Treasury in payment of the tax on any sale by such contracting producer of the type of tobacco specified in the warrant not exceeding in amount the amount of tobacco covered by such warrant. Any contracting producer shall be entitled to receive such warrants covering amounts of any type of tobacco produced by him equal (1) to the number of pounds of tobacco of such type which such contracting producer is permitted to market under any agreement between him and the Secretary of Agriculture, or (2) to the number of pounds of tobacco of such type which the Secretary of Agriculture estimates may be produced on a percentage of a base acreage, which percentage and base acreage shall be determined as provided in any agreement between the Secretary of Agriculture and such contracting producer.

(b) The Secretary of Agriculture may issue in any county further warrants, covering an amount of tobacco of any type not in excess of 6 per centum of the amount of tobacco of such type covered by the warrants issued to all contracting producers in such county, to persons engaged in the production of tobacco of such type in such county as to whom the Secretary determines that no equitable allotment of tobacco acreage or production is possible under tobaccoreduction contracts offered pursuant to the Agricultural Adjustment Act: Provided, That warrants covering two-thirds of the amount of tobacco allotted under this subsection in any county shall be issued growers. to growers whose allotments are 1,500 pounds or less. Warrants Accept to growers whose allotments are 1,500 pounds or less. Warrants Accepta issued under this subsection shall be accepted by the collector and of sales tax. the Secretary of the Treasury, upon surrender thereof by the person to whom issued, in payment of the tax on any sale by such person of the type of tobacco specified in the warrant not exceeding in

amount the amount of tobacco covered by such warrant.

(c) Upon application therefor, the warrants provided for by Manner et ing warrants subsections (a) and (b) of this section may be issued by the Secretary of Agriculture, or his duly authorized agent, in such manner, at such time or times, at such place or places, and in such form as the Secretary of Agriculture may prescribe.

(d) Any tax-payment warrant erroneously issued shall be void upon demand in writing for its return made by the Secretary of Agriculture to the person to whom such warrant was issued.

(e) The right to a tax-payment warrant under this section shall be evidenced in such manner as the Secretary of Agriculture may by

regulations prescribe.

(f) The Secretary of Agriculture may make regulations protection of share ing the interests of share-croppers and tenants in the issuance of tax-payment warrants under this Act.

Limitation.

Terms of warrant. Pounds permitted.

Percentage basis.

County warrants.

Ante, p. 34.

Proviso Issue of, to limited

Acceptance, upon surrender in payment

Manner, etc., of issu-

Erroneous issue.

Evidence of right.

Collection of taxes.

COLLECTION OF TAXES

Payment by seller.

Depository.

Returns, penalties, etc. Excise provisions excepted. Vol. 44, p. 121.

Sec. 6. (a) The taxes provided for in this Act shall be paid by the seller and collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury. Such taxes shall be paid into the Treasury of the United States.

(b) All provisions of law, including penalties (except section 1121 of the Revenue Act of 1926), applicable with respect to the taxes imposed by section 600 of the Revenue Act of 1926, and the vol. 44, p. 93; Vol. 47, provisions of section 626 of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this Act, be applicable in regard to all taxes imposed by this Act.

Rules and regulations.

Needful, to be pre-

Execution of vested powers.

RULES AND REGULATIONS

SEC. 7. (a) The Commissioner, with the approval of the Secretary of the Treasury, shall prescribe such rules and regulations as he may deem needful for the collection of the tax.

(b) The Secretary of Agriculture is authorized to make such rules and regulations as may be necessary to carry out the powers vested in him by the provisions of this Act.

Information returns.

INFORMATION RETURNS

Producers, etc., re-quired to disclose rele-vant information.

SEC. 8. (a) All producers, warehousemen, processors of tobacco, and common carriers, having information with respect to tobacco produced or sold, may be required to make a return in regard thereto, setting forth the amount of tobacco produced, sold, or delivered, the name and address of the person who produced, sold, or delivered said tobacco, or to whom said tobacco was sold or delivered, the price paid on such sale, and any other and further information which be the Commissioner of Internal Revenue, with the approval of the Scantany of the Transport and I have been such that the approval of the Scantany of the Transport and I have been such that the such Secretary of the Treasury shall by regulations prescribe as necessary for the collection of the tax. Any person required to make such return shall render a true and accurate return to the Commissioner of Internal Revenue.

Penalty provisions.

(b) Any person willfully failing or refusing to file such a return, or filing a willfully false return, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$1,000.

General and penal provisions.

GENERAL AND PENAL PROVISIONS

Counterfeiting, etc.

False entry.

Sec. 9. (a) No tax-payment warrant issued in accordance with Transfer of tax-pay- this Act may be transferred or assigned either in whole or in part, except by the executor or other legal representative of a deceased producer to whom a tax-payment warrant has been issued under this Unlawful acquisi- Act. Any person who acquires a tax-payment warrant from another person or who transfers a tax-payment warrant to another person in violation of the provisions of this Act, or who violates any provision of this Act, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than \$1,000 or sentenced to not more than six months' imprisonment, or both.

(b) Any person who, with intent to defraud, forges, makes, or counterfeits any tax-payment warrant or any stamp, tag, or other means of identification made or used under this Act, or makes any false entry upon such warrant or any false statement in any application for the issuance of such warrant, or who uses, sells, lends, or has in his possession any such altered, forged, or counterfeited warrant, stamp, tag, or other means of identification, or who makes, uses, sells, or has in his possession any material in imitation of the material used in the manufacture of such warrants, stamps, tags, or other means of identification, or who makes any false statement in any application with respect to the levying and collection of the tax, shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding five years, or both.

Penalty.

APPROPRIATIONS AND ADMINISTRATIVE EXPENSES

Appropriations and administrative ex-Proceeds from tax available. Tax estimates.

SEC. 10. (a) The proceeds derived from the tax are hereby appropriated to be available to the Secretary of Agriculture for administrative expenses and refunds of taxes and other payments under this Act. The Secretary of Agriculture and the Secretary of the Treasury shall estimate from time to time the amount of the tax which will be collected during a period following any such estimate not in excess of four months, and the Secretary of the Treasury shall, out of any money in the Treasury not otherwise appropriated, advance to the Secretary of Agriculture the amounts so estimated. The amount of any such advance shall be deducted from such tax proceeds as shall subsequently become available under this subsection.

Advances.

(b) Out of the sums available to the Secretary of Agriculture under the Agricultural Adjustment Act, as amended, such sums as may be necessary for administrative expenses, refunds of taxes, and

Expenses. Ante. p. 37.

other payments under this Act are hereby made available.

(c) The Secretary of Agriculture is authorized in order to carry officers, employees, out the provisions of this Act to appoint, without regard to the pro
etc. visions of the civil-service laws, such officers, agents, and employees, sand to utilize such Federal officers and employees and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers, agents, and employees so appointed.

Selection, salaries,

(a) The administrative expenses provided for under this section shall include, among others, expenditures for personal services bia. and rent in the District of Columbia and elsewhere, for law books, periodicals, newspapers, and books of reference, for contract stenographic reporting services, and for printing and paper in addition

Reference books, etc.

to allotments under the existing law.

(e) The Secretary of Agriculture shall transfer to the Treasury Department, and is authorized to transfer to other agencies, out of funds available for administrative expenses under this Act, such sums as are required to pay administrative expenses incurred and refunds made by such Department or agencies in the administration

Transfer of funds.

of this Act.

REFUNDS

Refunds.

SEC. 11. (a) No refund of any tax, penalty, or interest paid under Claim for, must be this Act shall be allowed unless claim therefor is presented within months. six months after the date of payment of such tax, penalty, or

(b) No suit or proceeding shall be maintained in any court for the recovery of any tax under this Act alleged to have been erroneously or illegally assessed or collected, or of any penalty claimed to have been collected without authority, until a claim for refund or credit has been duly filed with the Commissioner of Internal Revenue, according to the provisions of law in that regard, and the regulations prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, under this Act;

Suit to recover.

Payment under probut such suit or proceeding may be maintained whether or not such test or duress.

Commencement of tax, penalty, or interest has been paid under protest or duress. No suit or proceeding shall be begun before the expiration of six months from the date of filing such claim, unless the Commissioner renders a decision thereon within that time, nor after the expiration of two years from the date of the payment of such tax, penalty, or interest, unless such suit or proceeding is begun within two years after the disallowance of the claim or of the part of such claim to which such suit or proceeding relates. The Commissioner shall, within ninety days after any such disallowance, notify the taxpayer thereof by mail.

SEPARABILITY OF PROVISIONS

Separability of provisions.

Sec. 12. If any provision of this Act, or the applicability thereof to any person or circumstance, is held invalid the remainder of this Act and the applicability thereof and of such provision to other persons or circumstances shall not be affected thereby.

Termination.

TERMINATION

Tax on any type may be discontinued, etc.

Sec. 13. The tax shall terminate with respect to any type of tobacco at the end of the crop year current at the time the Secretary of Agriculture proclaims that rental and/or benefit payments under the Agricultural Adjustment Act are to be discontinued with respect Proclamation to to such type of tobacco or whenever the President finds and proclaims that the national economic emergency with respect to such type of

tobacco has ended, whichever is the earlier.

SEC. 14. The Secretary of Agriculture is directed not to refuse on the ground of lateness any offer by a tobacco producer to become a contracting producer, if such offer is filed with the Secretary of Agriculture within thirty days after the date of the enactment

Tobacco producer be-coming a contracting producer.

Cigar leaf tobacco.

Sec. 15. Having due regard to the welfare of domestic producers of tobacco and to the protection of domestic consumers thereof and to a just relation between the price received by such domestic producers and the price paid by such domestic consumers and in other respects to effectuate the declared policy of this Act, the Secretary of Agriculture may from time to time, by orders or regulations:

Provisions for protecting, etc.

Quotas for importa tions, into continental United States to be established.

Basis.

Cuba.

(A) For each crop year in which any type of tobacco is harvested to which the tax is applicable, or for any part of such crop year, establish quotas for the importation into continental United States of cigar-leaf types of tobacco, and during such crop year readjust any such quotas. Such quotas shall be based on average quantities of such tobacco imported into continental United States during the crop years 1932-1933 and 1933-1934, except that in the case of tobacco imported from the Republic of Cuba, such quotas shall be based on average quantities of tobacco so imported during the crop years 1928-1933.

Allocations to im-

(B) Allot the quotas provided for by subsection (A) to the importers of such tobacco in the United States in such manner as he may deem fair and equitable, having due regard to the respective amounts of tobacco imported during the crop years 1932-1933

Sec. 16. After importation quotas therefor have been established,

and 1933-1934 by such persons.

Excess imports subject to import tax.

all cigar-leaf tobacco of any type imported into continental United States in excess of the quota for such type shall be subject to an import tax. The rate of the import tax, expressed in cents per

Rate

pound, shall be determined by the Secretary of Agriculture as hereinafter provided. On May 1 of each crop year for which quotas price, etc., to be deterare to be established pursuant to section 15, the Secretary of Agriculmined. ture shall determine (from available statistics of the Department of Agriculture) the average sales price per pound, during the preceding twelve months, of all domestic cigar-leaf tobacco the sale of which is to be taxed during the ensuing crop year under this Act. This average sales price, times the average per centum tax rate then current under this Act on the sale of such domestic cigar-leaf tobacco, shall be the rate per pound of the import tax and shall be proclaimed by the Secretary of Agriculture. The import tax shall be paid Payment of tax be fore customs release. prior to the release of the tobacco subject thereto from customs custody or control.

As used in this and the preceding section "cigar-leaf types of tobacco" shall include cigars, which for the purposes of the quotas, allotments, and import tax provided for by said sections shall be translated into terms of raw cigar-leaf tobacco of the respective types from which such cigars are produced, pursuant to conversion factors established and proclaimed by the Secretary of Agriculture.

Approved, June 28, 1934.

Term construed.

[CHAPTER 867.]

AN ACT

To compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War.

June 28, 1934. [H.R. 9936.] [Public, No. 484.]

Be it enacted by the Senate and House of Representatives of the ing widow, child, or children of any deceased person who served in the World War before November 12, 1918, or if the person was serving with the United States military forces in Russia before April 2, 1920, who, while receiving or entitled to receive control of widows, etc., of certain veterans. Eligibility. 2, 1920, who, while receiving or entitled to receive compensation, pension, or retirement pay for 30-per-centum disability or more directly incurred in or aggravated by service in the World War, dies or has died from a disease or disability not service connected and not the result of the person's own misconduct shall, upon filing application and such proofs in the Veterans' Administration as the Administrator of Veterans' Affairs may prescribe, be entitled to receive compensation: Provided, That the provisions of this Act shall not apply to any person during any year following a year for from income tax which such person was not entitled to exemption from the payment of a Federal income tax.

SEC. 2. That the monthly rates of compensation shall be as follows: Widow but no child, \$22; widow and one child, \$30 (with \$4 for each additional child); no widow but one child, \$15; no widow but two children, \$22 (equally divided); no widow but three children, \$30 (equally divided) (with \$3 for each additional child, total amount to be equally divided).

The total compensation payable under this paragraph shall not Where such benefits would otherwise exceed \$56 the amount of \$56 may be apportioned as the Administrator of Veterans' Affairs may prescribe.

Sec. 3. That as used in this Act—

(a) The term "person who served" shall mean a person, whether male or female, and whether commissioned, enlisted, enrolled, or drafted, who was finally accepted for active service in the military

Proviso. Persons not exempt

Maximum. Apportionment, if exceeding \$56.

"Person whoserved."

86637°—34——81

or naval forces of the United States, members of training camps authorized by law, and such other persons heretofore recognized by statute as having a pensionable status:

"Widow."

"Child."

(b) The term "widow" shall mean a person who was married to the veteran prior to July 3, 1931, and who has not remarried;
(c) The term "child" shall mean a person unmarried and under

the age of eighteen years, unless prior to reaching the age of eighteen the child becomes or has become permanently incapable of self-support by reason of mental or physical defect, who is a legitimate child, a child legally adopted, a stepchild if a member of the man's household, an illegitimate child, but, as to the father only, if acknowledged in writing signed by him or if he has been judicially ordered or decreed to contribute to such child's support, or has been judicially decreed to be the putative father of such child: passing 18, completing after the age of eighteen years and until completion of education contraining (but not after such child reaches the continued to training (but not after such child reaches the continued to the continued t years), to any child who is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly

the approval shall be withdrawn.

Adjudication of claims.

Proviso.
Time for filing claim restricted.

Effective date of pay-

Proviso.
Acceptance of claims under specified Acts authorized.
Ante, pp. 8, 524.

SEC. 4. That the Administrator of Veterans' Affairs is authorized and directed to receive evidence and adjudicate claim for compensation under this Act when it is claimed that the veteran was 30 per centum or more disabled immediately prior to his death from disease or injury established to the satisfaction of the Veterans' Administration prior to date of death to have been directly incurred in or aggravated by service in the World War, although a determination of 30-per-centum disability or more had not been made by the Veterans' Administration prior to the veteran's death: Provided, That for the purpose of awarding compensation under the provisions of this Act, direct service connection of disability and degree thereof at date of death may be determined in any case where claim has been or is filed by the widow, child, or children of a deceased World War veteran, except that proof of 30-per-centum disability or more at date of death must be filed no later than three years after date of enactment of this Act or the date of death, whichever is the later, and evidence required in connection with any claim must be submitted in accordance with regulations prescribed by the President and/or the Administrator of Veterans' Affairs.

SEC. 5. That payment shall be effective from the date of enactment of this Act in all cases where death occurred prior to the date of enactment of this Act and in all other cases payment shall be made from the date the application of the widow, child, or children in the form prescribed by the Administrator of Veterans' Affairs, is filed in the Veterans' Administration: *Provided*, That a claim for pension or compensation under Public Law Numbered 2, Seventythird Congress, and the Veterans' Regulations, or Public Law Numbered 141, Seventy-third Congress, on account of death of a veteran from directly service-connected disability shall be accepted as a claim for benefits under this Act.

Approved, June 28, 1934.

[CHAPTER 868.]

AN ACT

To provide a retirement system for railroad employees, to provide unemployment relief, and for other purposes.

[Public, No. 485.]

Be it enacted by the Senate and House of Representatives of the Act. Railroad Retirement United States of America in Congress assembled,

Definitions.

Definitions

Section 1. That as used in this Act—

(a) The term "carrier" includes any express company, sleeping-"Carrier." car company, carrier by railroad, subject to the Interstate Commerce

Act, and any company which is directly or indirectly owned or controlled by or under common control with any carrier by railroad and which operates any equipment or facilities or performs any service (other than trucking service) in connection with the transportation of passengers or property or the receipt, delivery, elevation, transfer in transit, refrigeration or icing storage, and handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the business of any such "carrier": Provided, however, That the term "carrier" shall not include any street, interurban, or excluded. suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The tation now or hereafter operated by any other motive power. The status of electric Interstate Commerce Commission is hereby authorized and directed lines: upon request of the Board or upon complaint of any party interested to determine after hearing whether any line operated by electric

power falls within the terms of this proviso.

(b) The term "employee" means each person in the service of a carrier, subject to its continuing authority to supervise and direct the manner of rendition of his service, who has been in such service within one year before the enactment hereof, or who after the enactment hereof shall have been in such service. The term "employee" also includes each officer or other official representative of an "employee organization", herein called "representative", who has performed service for a carrier, who is duly designated and authorized to represent employees under and in accordance with the Railway Labor Act, and who, during, or following employment by a carrier, is engaged in such representative service in behalf of such

employees.

(c) The term "Board" means the Railroad Retirement Board

hereby created.
(d) The term "annuity" means regular payments at the end of each completed month during retirement, ceasing at death or at resumption of compensated service.

(e) The term "service" means the employment relation between an employee and a carrier whether before or after the enactment

(f) The term "service period" means the total service of an employee for one or more carriers whether or not continuously per formed, and includes as one month every calendar month during which the employee has been paid compensation by a carrier and includes as one year every twelve such months. An ultimate fraction of six months or more shall be computed as one year.

(g) The term "retirement" means the status of cessation of "Retirement period."

compensated service with the right to receive an annuity.

"Employee."

"Board."

"Annuity."

"Service."

"Service period."

73d CONGRESS. SESS. II. CH. 868. JUNE 27, 1934.

"Age." "Carrier contribu-

(h) The term "age" means age at the latest attained birthday.(i) The term "carrier contribution" means the payment to be made by each carrier.

"Employee contribution.

(j) The term "employee contribution" means the payment to be

"Voluntary contribution.

made by each employee.

(k) The term "voluntary contribution" means the payment made by an employee equal to the total of both the employee and the

"Effective date."

carrier contribution.
(1) The term "effective date" means the 1st day of the second

"Railroad Retire-ment Act."

month after the taking effect of this Act.

(m) The term "Railroad Retirement Act" means and may be used in citing this Act and subsequent amendments thereto.

PURPOSES

Purposes and ob-

Sec. 2. (a) For the purpose of providing adequately for the satisfactory retirement of aged employees and promoting efficiency and safety in interstate transportation, and to make possible greater employment opportunity and more rapid advancement of employees in the service of carriers, there is hereby established a railroad retirement system; and it is made the duty of all carriers and employees subject to this Act to perform and fulfill the obligations imposed thereby. This Act shall be administered and construed with the intent and to the purpose of providing the greatest practicable amount of relief from unemployment and the greatest possible use of resources available for said purpose and for the payment of annuities for the relief of superannuated employees.

Retirement established.

SPECIAL REPORT

Special report to be submitted to the President.

(b) Not later than four years from the effective date, the Board, in a special report to the President of the United States to be submitted to Congress, shall make specific recommendations for such changes in the retirement system hereby created as shall assure the adequacy and permanency of said retirement system on the basis of its experience and all information and experience then available. For this purpose the Board shall from time to time make such investigations and actuarial studies as shall provide the fullest information practicable for such report and recommendations.

Investigations and actuarial studies to be made.

ANNUITIES

Payment of annui-

Commencement.

Service basis.

Computation.

"Monthly compensation", defined.

Sec. 3. Each employee having attained the age of sixty-five years, or having completed a service period of thirty years, shall be paid an annuity, to begin on a date specified in a written application, which date shall not be more than sixty days before the making of the application. No annuity shall begin less than six months after the effective date. Such annuity shall be based upon the service period of the employee and shall be the sum of the amounts determined by multiplying the number of years of service, not exceeding thirty years, by the following percentages of the monthly compensation: 2 per centum of the first \$50; 1½ per centum of the next \$100; and 1 per centum of the compensation in excess of \$150. The "monthly compensation" shall be the average of the monthly compensation paid to the employee by the carrier, except that where applicable for service before the effective date the monthly compensation shall be the average of the monthly compensation for all pay-roll periods for which the employee has received compensation from any carrier out of eight consecutive calendar years of such services ending December 31, 1931. No part of any monthly compensation in excess of \$300 shall be recognized in determining any annuity for any

Maximum.

employee contribution. The annuity shall be reduced by one-Rate if employee less fifteenth of such annuity for each year the employee is less than sixtyfive years of age at the time of the first annuity payment. No such reduction shall be made if the Board shall determine that the carrier has retired the employee because of physical or mental inability to continue in active service. Upon death of an employee before or after retirement an amount, equal at his death to a computation, with interest at 3 per centum compounded annually, of the accumulation from his payments less any annuity payments received by him, shall be paid as he may have designated or to his legal representative.

Any employee who upon retirement shall be entitled to an annuity tannuity with a value determined by the Board of less than \$300 shall be paid \$300. such value in a lump sum.

Disability provision.

Death allowance.

RETIREMENT

Sec. 4. Retirement shall be compulsory upon employees who, on the effective date, have attained or thereafter shall attain the age of sixty-five years. The carrier and the employee may, by an agreement in writing filed with the Board, extend the time for retirement as to such employee for one year and for successive periods of one year each, but not beyond the age of seventy years. Until five years from the effective date, the compulsory retirement shall not apply to an employee who from and after the effective date occupies an official position in the service of a carrier.

Retirement.

Compulsory, at age

Extensions.

Officials.

Contribution

SEC. 5. Each employee shall pay an employee contribution in a tion. Employee contribution. Each carrier shall pay a car-Carrier contribution. percentage upon his compensation. Each carrier shall pay a carrier contribution equal to twice the contributions of each employee of such carrier. The employee compensation shall be the compensation for service paid to such employee by the carrier excluding compensation in excess of \$300 per month. The contribution percentage shall be determined by the Board from time to time, and shall be such as to produce from the combined employee and carrier contributions, with a reasonable margin for contingencies, the amount necessary to pay the annuities, other disbursements and the expenses becoming payable from time to time. Until the Board shall determine on a different percentage the employee contribution percentage shall be 2 per centum. Employee contributions shall be deducted ployees' pay. by the carrier from the compensation of its employees and shall be paid by the carrier, together with the carrier contributions, into the Treasury of the United States quarterly or at such other times as ordered by the Board.

Contributions.

Determination of per-centage.

Existing Pension Systems

SEC. 6. The Board shall have the power to provide by appropriate Taking existing systems and regulations for substituting the provisions for annuities system. and other benefits to employees under this Act, for any obligation for prior service or for any existing provisions for the voluntary payment of pensions to employees subject to this Act by a carrier or any employees subject to this Act, so as to relieve such carrier from its obligations for age retirement benefits under its existing pension systems and to transfer such obligations to the retirement system herein established. If the fulfillment of any such transferred obligation shall require additional contributions or larger payments than would otherwise be required under the provisions of this Act, then such additional contributions shall be made by the carrier originally responsible for the creation of such obligation or for

the excess amount of such payments over those which would be required under the provisions of this Act. In the event that the Board is unable to make satisfactory arrangements with any carrier for the substitution of the provisions under this Act for its existing pension system, then, and in that event, the provisions of this Act shall be applied to said carrier and its employees without regard to any conflict or duplication in the operation of such an existing pension system and the operation and effect of the provi-Proviso.
Discretionary extension to former retirements for age.

sions of this Act: Provided, That the Board, at its opinion, shall have power, in lieu of the foregoing provisions of this section, to order that all former employees of carriers, who prior to the effective order that all former employees of carriers, who prior to the effective order that all former employees of carriers are of the age of tive date have become separated from the service at the age of seventy years or over and who may or may not be receiving age retirement benefits, shall be entitled to the benefits of this Act.

Employee Representatives.

Discretionary contin-uance as beneficiary.

Payments.

Certain requirements

Conditions under which benefits are pay-

Proviso.
Determining

Payments to repre-sentative continuing as beneficiary.

Retirement fund.

RETIREMENT FUND Treasury to maintain separate fund.

SEC. 8. All moneys paid into the Treasury under the provisions of this Act, all interest, and other receipts, and all refunds of moneys paid out under this Act shall constitute and be kept in a separate fund in the Treasury to be known as the "railroad retirement fund." At the request and direction of the Board, the Treasurer of the Investments in Fed- United States, with the approval of the Secretary of the Treasury, eral obligations. is authorized to invest such funds as are not immediately required for disbursements in interest-bearing bonds, notes, or other obligations of the United States, and to collect the principal and interest of such securities and to sell and dispose of the same as in the judgment of the Board shall be in the interest of said fund. There is hereby appropriated such sums not in excess of the amounts in said fund as may be necessary to pay all annuities, other disburse-

ments and the expenses of administration of this Act.

EMPLOYEE REPRESENTATIVES

SEC. 7. Any representative of an employee organization who is included within the definition of "employee" in paragraph (b), section 1, of this Act shall have the option, but, shall not be required to continue or to become a beneficiary under the provisions of this Act. If he shall elect to continue or to become such a beneficiary he shall pay all voluntary contributions.

For the purposes of this section the requirements of section 4 of this Act shall not apply. Service rendered to an employee organization shall be included in computing the total service period of such representative.

For such representative who shall elect to become a beneficiary under this Act, the basic compensation upon which contributions shall be made and benefits calculated shall be that compensation paid by the carrier for service rendered in the position to which the rights of such representative would entitle him for the period defined in section 3 of this Act: Provided, That if no definite and basic specific rights obtain, the average compensation paid to the four employees whose last date of entry in the service is nearest the date of entry in the service of the same carrier by such representative, shall be his basic compensation to be determined for the period defined in section 3 of this Act. When a question arises as to rights under this provision the Board shall investigate and determine rights of such representative.

> For such representative who elects to continue as a beneficiary under the provisions of this Act, his basic compensation shall be the average monthly compensation paid to him by the carrier during the last twelve months of active service with such carrier.

Appropriation.

RETIREMENT BOARD

Sec. 9. (a) Personnel.—There is hereby established as an independent agency in the executive branch of the Government a Railroad Retirement Board, to be composed of three members appointed by the President, by and with the advice and consent of the Senate. Each member shall hold office for a term of five years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of the term and the terms of office of the members first taking office after the date of enactment of this Act shall expire, as designated by the President, one at the end of two years, one at the end of three years, and one at the end of four years, after the date of enactment of this Act. One member shall be appointed from recommendations made by representatives of the employees and one member shall be appointed from recommendations made by representatives of the carriers, in both cases as the President shall direct, so as to provide representation on the Board satisfactory to the largest number, respectively, of employees and carriers concerned. One member, who shall be the chairman of the Board, shall be appointed initially, for a term of two years, without recommendation by either carriers or employees and shall not be in the employment of or be pecuniarily or otherwise interested in any carrier or organization of employees. Vacancies in the Board shall not impair the powers nor affect the duties of the Board nor of the remaining members of the Board of whom a majority of those in office shall constitute a quorum for the transaction of business. Each of said members shall receive a salary of \$10,000 per year, together with necessary traveling expenses and subsistence expenses, or per diem allowance in lieu thereof, while away from the principal office of the Board on duties required by this Act. The members and employees of the Board shall be included as employees under this Act and together with employees receiving annuities shall be furnished free transportation in the

same manner as such transportation is furnished to employees. (b) Duties.—The Board shall have and exercise all the duties and powers necessary to administer this Act. The Board shall receive and take such steps and institute and prosecute such proceedings and actions as may be necessary to enforce the payments and obligations required under the Act, make and certify awards and payments, and account for all moneys and funds necessary thereto. The Board may require such advances upon the payments of carriers as necessary to put this Act into operation. The Board shall estab-Rules to be pre-lish and promulgate rules and regulations and provide for the adjustment of all controversial matters, with power as a Board or through any member or subordinate designated therefor, to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations in any matter involving annuities or other payments, and shall maintain such offices, provide such equipment, furnishings, supplies, services, and facilities and employ such persons and provide for their compensation and expenses, as may be necessary to the proper discharge of its functions. All rules, regulations, or decisions of the Board shall require the approval of at least two members and shall be entered upon the records of the Board and shall be a public record. The Board shall gather, keep, compile, and publish in convenient form such records and data as may be necessary, and at intervals of not more than two years shall cause to be made actuarial surveys and analyses, to determine from time to time the payments to be

Retirement Board.

Personnel.

Term of office.

Appointment.

Vacancies.

Salary, etc.

Records, etc.

Actuarial surveys.

information.

required to provide for all annuities, other disbursements and expenses, and to assure proper administration and the adequacy Authority to obtain and permanency of the retirement system hereby established. Board shall have power to require all carriers and employees and any officer, board, commission, or other agency of the United States to furnish such information and records as shall be necessary for the administration of this Act. The Board shall make an annual report to the President of the United States to be submitted to Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Annual report.

Court jurisdiction.

COURT JURISDICTION

Authority vested in district, etc., courts.

SEC. 10. The several district courts of the United States and the Supreme Court of the District of Columbia shall have jurisdiction to entertain an application and to grant appropriate relief in the following cases which may arise under the provisions of this Act:

To compel compli-ance with obligations.

(a) An application by the Board to compel an employee or other person residing within the jurisdiction of said court, or a carrier subject to service of process within said jurisdiction, to comply with any obligations imposed on said employee, other person, or carrier

under the provisions of this Act.

To review questions arising in administra-tion of system.

(b) An application by an employee or carrier to the Supreme Court of the District of Columbia or to the district court of any district wherein the Board maintains an office or has designated an agent authorized to accept service in its behalf, to compel the Board to set aside an action or decision claimed to be in violation of a legally enforceable right of the applicant, or to take an action, or to make a decision necessary for the enforcement of a legal right of the applicant, when the applicant shall establish his right to a judicial review upon the jurisdictional ground that, unless he is granted a judicial review of the action or decision, or failure of the Board to act or to decide, of which he complains, he will be deprived of a constitutional right to obtain a judicial determination of his alleged right.

Jurisdiction not exelusive.

(c) The jurisdiction herein specifically conferred upon the said Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by said courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act.

Exemption.

EXEMPTION

No payment assignable, etc.

SEC. 11. No annuity or death payment shall be assignable or be subject to any tax or to garnishment, attachment, or other legal process under any circumstances whatsoever.

PENALTY—CARRIER

Penalty for failure of carrier to make required payment.

Sec. 12. On the failure of any carrier to make any payment when due under the provisions of this Act, such carrier, unless excused by order of the Board, shall pay an additional 1 per centum of the amount of such payment for each month such payment is delayed.

Other penalties.

OTHERS

Failure t information. to furnish

SEC. 13. Any employee, other person, officer, or agent of a carrier subject to this Act who shall willfully fail or refuse to make any report or furnish any information required by the Board in the administration of this Act or who shall willfully fail or refuse to make any accounting required under this Act, or who shall know-

ingly make any false or fraudulent statement or report required for the purpose of this Act, or who shall knowingly make or aid in making any false or fraudulent statement or claim for the purpose of receiving any award or payment under this Act shall be punished by a fine of not less than \$100 nor more than \$10,000 or by imprisonment not exceeding one year.

False statements.

SEPARABILITY

SEC. 14. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act or application of such provision to other persons or circumstances shall not be affected thereby.

Saving clause.

Approved, June 27, 1934.

[CHAPTER 869.]

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

June 28, 1934. [S. 3580.] [Public, No. 486.]

Be it enacted by the Senate and House of Representatives of the Bankruptcy; agriculturited States of America in Congress assembled, That section 75 of attentions and the Act of July 1, 1898, entitled "An Act to establish a uniform system of the Act of July 1, 1898, entitled "An Act to establish a uniform system of the Indian States" are amended. tem of bankruptcy throughout the United States", as amended, is amended as follows: In section 75, entitled "Agricultural Compositions and Extensions", after subsection (r) add a new subsection

(s), to read as follows:

"(s) Any farmer failing to obtain the acceptance of a majority in number and amount of all creditors whose claims are affected by a composition or extension proposal, or if he feels aggrieved by the composition or extension, may amend his petition or answer asking to be adjudged a bankrupt. Such farmer may, at the time of the first and pay for same under the terms and conditions set forth in this subsection (s).

hearing, petition the court that all of his property, whether pledged, encumbered, or unencumbered, by liens or otherwise, be appraised, and that his exemptions as prescribed by the State law, subject to any liens thereon, be set aside and that he be allowed to retain possession of any part or parcel or all of the remainder of his property

Appraisal of property.

Exemptions.

"(1) Upon such a request being made in the petition or answer, at the time of the first hearing, appraisers shall be designated and appointed. Such appraisers shall appraise all the property of the debtor at its then fair and reasonable value, not necessarily the market value at the time of such appraisal. The appraisals shall be made in all other respects, with right of objections, exceptions, and appeal, in accordance with this Act: Provided, That in case of real estate either party may file objections, exceptions, and appeals within

Appraisers, appointment.

Proviso.
Filing objections.

one year from date of order approving the appraisal.

"(2) After the value of the debtor's property shall have been fixed Exemptions of by the appraisal as herein provided, the referee shall issue an order aside.

Possession of remain-

setting aside to such debtor his exemptions as prescribed by the State law, subject to any existing mortgages or liens upon any such exemptions to an amount equal to the value, as fixed by the appraisal, of the value of such exempt property as is covered by any mortgage or lien, and shall further order that the possession, under the control of the court, of any part or parcel or all of the remainder of the debtor's property, shall remain in the debtor subject to a general lien, as security for the payment of the value thereof to the trustee of the creditors if a trustee is appointed such a lien to be which the creditors, if a trustee is appointed, such a lien to be subject to and

Prior liens, etc., to inferior to all prior liens, pledges, or encumbrances. Such prior liens, pledges, or encumbrances shall remain in full force and effect, and the property covered by such prior liens, pledges, or encumbrances shall be subject to the payment of the claims of the secured creditors holding such prior liens, pledges, or encumbrances up to the actual value of such property as fixed by the appraisal provided for herein. All liens herein on livestock shall cover all increase, and all liens on real property shall cover all rental received or crops grown thereon by the debtor, as security for the payment of any sum that may be due or past due under the terms and provisions of the next paragraph, until the full value of any such particular prop-

Sale of bankrupt estate to debtor.

Liens on livestock.

erty has been paid. (3) Upon request of the debtor, and with the consent of the lien holder or lien holders, the trustee, after the order is made setting aside to the debtor his exemptions, shall agree to sell to the debtor any part, parcel, or all of the remainder of the bankrupt estate at the appraised value upon the following terms and conditions, and upon such other conditions as in the judgment of the trustee shall be fair and equitable:

Payments.

Interest.

"a. Payment of 1 per centum interest upon the appraised price within one year from the date of said agreement.

"b. Payment of 2½ per centum of the appraised price within two years from the date of said agreement.

"c. Payment of an additional 2½ per centum of the appraised price within three years from the date of said agreement.

"d. Payment of an additional 5 per centum of the appraised price

within four years from the date of said agreement.

"e. Payment of an additional 5 per centum of the appraised price within five years from the date of said agreement.

"f. Payment of the remaining unpaid balance of the appraised

price within six years from the date of said agreement.

"Interest shall be paid on the appraised price and unpaid balances of the appraised price yearly as it accrues at the rate of 1 per centum

per annum and all taxes shall be paid by the debtor.

"The proceeds of such payments on the appraised price and interest shall be paid to the lien holders as their interests may appear, and to the trustee of the unsecured creditors, as their interests may appear, if a trustee is appointed.

Disposal of property by debtor; payments required.

Proceeds, etc., to credit of lien holders.

"(4) An agreement having been reached as provided in subsection (3), the debtor may consume or dispose of any part or parcel or all of said property whether covered by the general lien to the trustee, if a trustee is appointed, or subject to pledges or prior liens or encumbrances held by secured creditors, provided he pays the appraised value of such part or parcel or all, as the case may be, to the secured creditors, as their interests may appear, and the trustee of the unsecured creditors, as their interests may appear, and the trustee of the unsecured creditors, as his interests may appear, if a trustee is appointed, or he may put up a bond approved by the referee in bankruptcy that he will make payments, as provided for herein, of any property so consumed or disposed of.

"(5) In case the debtor fails to make any payments, as herein provided, to any or all of the secured creditors or to the trustee of the unsecured creditors, then such secured creditors or the trustee

Bond.

may proceed to enforce their pledge, lien, or encumbrances in accordance with law. It shall be the duty of the secured creditors and of the trustee of the unsecured creditors to discharge all liens of record in accordance with law, whenever the debtor has paid the appraised

Enforcement of pledge in case of default of payment.

value of any part, parcel, or all of his property as herein provided.

"(6) Having complied with the provisions of subsection (3), the debtor may apply for his discharge as provided in this Act.

Discharge upon com-pleting obligation.

"(7) If any secured creditor of the debtor, affected thereby, shall court to stay profile written objections to the manner of payments and distribution of upon creditors' objections to property as herein provided for, then the court, after having ments, etc. "(7) If any secured creditor of the debtor, affected thereby, shall set aside the debtor's exemptions as prescribed by the State law, shall years the debtor shall retain possession of all or any part of his of rental.

Debtor to retain possession upon payment property, under the control of the court, provided he pays a reasonable rental annually for that part of the property. able rental annually for that part of the property of which he retains possession; the first payment of such rental to be made within six months of the date of the order staying proceedings, such rental to be distributed among the secured and unsecured creditors, as their interests may appear, under the provisions of this Act. At the end of five years, or prior thereto, the debtor may pay into court the appraised price of the property of which he retains possession: Provided, That upon request of any lien holder on real estate the court reappraisal. shall cause a reappraisal of such real estate and the debtor may then pay the reappraised price, if acceptable to the lien holder, into the court, otherwise the original appraisal price shall be paid into court and thereupon the court shall, by an order, turn over full possession and title of said property to the debtor and he may apply for his discharge as provided for by this Act: Provided, however, That the provisions of this Act shall apply only to debts existing Existing debts only, at the time this Act becomes effective.

"If the debtor fails to comply with the provisions of this subection 1 Court may order the court may order the trustee to sell the property as provided in this not complied with. Act."

Approved, June 28, 1934.

² So in original.